





INDIANA
STATE LIBRARY

R 2500
SPECIAL ACTS,

PASSED AT THE EIGHTH SESSION

OF THE

GENERAL ASSEMBLY

OF

THE STATE OF INDIANA,

BEGUN AND HELD AT CORYDON, ON MONDAY, THE FIRST DAY
OF DECEMBER, EIGHTEEN HUNDRED AND TWENTY THREE.

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PUBLISHED BY AUTHORITY.

CORYDON, IA.

Printed by Carpenter & Douglass.

1824.

SPECIAL ACTS

OF

THE STATE OF INDIANA.**CHAPTER I.**

AN ACT authorizing the printing and distributing the acts, joint resolutions and journals of the present General Assembly, and for other purposes.

Approved—January 28, 1824.

SEC. 1. *Be it enacted by the General Assembly of the state of Indiana, That his Excellency the Governor of the state of Indiana, be and he is hereby authorized to make or cause to be made, an index and marginal notes to all the acts and joint resolutions passed or ordered to be printed at this General Assembly, as soon as possible; and as early as convenient, furnish the state printer with the said statutes and joint resolutions, together with the said index and marginal notes to the said state printer; and also, at the same time deliver, or cause to be delivered to the said state printer, a true copy of the Declaration of Independence of the United States; the Constitution of the United States and its amendments; the act of the state of Virginia, by which she ceded to the United States, the territory north-west of the Ohio river; the Ordinances of Congress for the government thereof; the act of Congress to enable the people of the Indiana territory, to form a constitution and state government; the Ordin-*

*Governor to
make marg.
notes & in
dex, & fur
nish state
printer with
copies, &c*

45987

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345.1

I 385

1824 Sp. act's.

2,500 copies
to be print-
ed.

ance, accepting the propositions of Congress, and the Constitution of the state of Indiana: and the said state printer shall, thereupon, proceed to print, agreeably to the provisions of his contract, twenty-five hundred copies of the same, in such way, manner and order, as his Excellency the Governor of the state of Indiana, may and shall order and direct; and when so printed and stitched, shall be denominated **THE REVISED LAWS OF INDIANA.**

500 copies
of the jour-
nals H. R.
and 300 of
the Senate.

Printer to
return man-
uscripts.

SEC. 2. The state printer shall also print five hundred copies of the journals of the House of Representatives, and three hundred copies of the journals of the Senate, according to the like order and direction of the Secretary of State; and the said printer so soon as he shall have completed the aforesaid printing, shall return whole and uninjured, to the Secretary of State, all copies and manuscripts furnished by him to said printer; and for all printing done by said printer under the provisions of this act, if the same has not been contracted for, it shall be done at the same rate that the printing contracted for, shall be done.

SEC. 3. In printing the acts and joint resolutions passed or ordered to be printed at this session of the General Assembly, the name of the

Name of
the Speaker
&c. omit-
ted.

Speaker of the House of Representatives, the President of the Senate, and the Governor shall not be printed, but immediately after the title of the act or joint resolution, the time of approval shall be printed.

Secretary
give printer
certificate.

SEC. 4. So soon as the said printing shall be completed, and the copies delivered to the Secretary of State, the Secretary of State shall give to said printer, a certificate of the same, which certificate shall contain a detailed account of all the printing done for the state, not paid for, and the total amount due to said printer for the same; which said certificate under the hand and seal of said Secretary, shall be a sufficient voucher for the Auditor of State to audit the same, and give

Officers of
state to em-
ploy a book-
binder, &c.

Distribu-
tion of
bound co-
pies.

Of stitch-
ed copies.

the said state printer an audited warrant accordingly, and the Treasurer of State shall pay such audited warrant on sight, out of any monies in the treasury not otherwise appropriated.

SEC. 5. The Secretary, Treasurer and Auditor of State, or a majority of them, are hereby authorized to employ some suitable person or persons, to bind in sheep, in a plain manner, one hundred and thirteen copies or volumes of said revised laws, and letter the same, to be distributed as follows:—The Governor, Lieutenant Governor, Attorney General, Secretary, Treasurer and Auditor of State, each one volume; the United States' Judge, for the district of Indiana, one volume; and each of the states and territories of the United States, one volume; and each member of the Senate and House of Representatives of the present General Assembly, one volume; also, each Secretary of the Senate, and each Clerk of the House of Representatives, one volume; and that the Secretary of State, deliver and forward the same as aforesaid, recording the same in a book for that purpose by him kept.

SEC. 6. All the other copies or volumes of the said revised laws, shall be stitched only, and be distributed as follows, to wit:—To the counties of Harrison, Clark, Jefferson, Dearborn, Franklin, Wayne, Washington, Orange and Knox, fifty copies or volumes each; to the counties of Fayette, Union, Switzerland, Jackson, Lawrence, Monroe, Sullivan, Vigo, Gibson and Posey, each forty-five copies or volumes; and to the counties of Randolph, Ripley, Jennings, Scott, Floyd, Bartholomew, Crawford, Dubois, Martin, Parke, Owen, Greene, Pike, Daviess, Vanderburgh, Warrick, Spencer, Perry, Morgan Marion, Shelby, Putnam, Henry, Rush, Decatur, Montgomery, Madison, Hamilton, Hendricks, Johnson, Vermillion and Allen, thirty-five copies or volumes each; and that the foregoing number of copies or volumes so to be delivered to each of

Copies to the aforesaid counties, shall be delivered to the Clerks of the several counties, except in cases where there may be no Clerk, in that case, the same shall be delivered to the sheriff of any such county.

How to be distributed by the cl^{rks}. SEC. 7. The copies or volumes of the acts and joint resolutions aforesaid so to be delivered to the several Clerks or Sheriffs of the several counties aforesaid, shall be distributed by such Clerks or Sheriffs as follows, to wit:—To each Associate Judge, Justice of the Peace, Clerk of the Court, Recorder of the county, county Commissioner, Sheriff and Coroner.

2,500 copies of militia law to be printed. SEC. 8. That the public printer be authorized and directed to print in pamphlet form, and stitch twenty-five hundred copies of the act, entitled "An act to regulate the militia of the state of Indiana," and the Adjutant General is hereby directed to forward the same to the several commandants of Brigades, in proportion to the number of officers returned to his office, at the same time that the laws and journals of the present General Assembly are distributed; and it shall be the duty of the commandant of each Brigade, to deliver a copy of such act to each and every commissioned and staff officer belonging to his Brigade.

200 copies private acts. SEC. 9. It shall be the duty of the public printer, to print in pamphlet form, two hundred copies of all acts that are local and private in their nature, that may be passed at the present session of the General Assembly; which shall be stitched in the same manner as the other copies of the laws; and three copies thereof shall be forwarded to each county, to be deposited in the Clerk's office of the proper county; and said local and private acts, shall not be inserted in the revised code of the present session.

Journals how to be distributed. SEC. 10. The copies of the journals of the Senate and House of Representatives, by this act authorized to be printed, shall be by the Secretary of State distributed as follows, to wit:—To

each member of the House of Representatives, twelve copies of their journals, and to each member of the Senate, twenty copies of their journals; which said journals, shall be delivered to the Clerks of the proper counties, if there be a Clerk, if not, to the Sheriff in the same manner and at the same time that the copies or volumes of the revised laws are delivered: and the Secretary of State, shall carefully file away and preserve all the copies or volumes of the revised laws of this session of the present General Assembly, to be delivered out hereafter in any way and manner as any future Legislature may order and direct.

Sec'y file copies of revised laws for future distribution.

SEC. 11. The Secretary, Auditor and Treasurer of State, or a majority of them, are hereby authorized and required to contract with some suitable person or persons, to convey and deliver the several copies or volumes of the revised laws; the act to regulate the militia of the state of Indiana, and the several copies of the journals when printed and stitched, to the several persons, counties and places pointed out by this act, taking bond and security of the undertaker or undertakers, for the faithful performance of the contract: and so soon as such undertaker or undertakers shall produce to the Secretary of State, the receipt of the several persons authorized to receive the laws and journals aforesaid, setting forth that the proper number of copies or volumes of the revised laws and copies of the journals have been delivered in good order, the Secretary of State shall then certify under his hand and seal, that such undertaker or undertakers have performed their contract agreeably to the true intent and meaning of the same, and the amount that is due to such undertaker or undertakers for the same, which certificate of the Secretary of State, shall authorize and require the Auditor of State to give such undertaker or undertakers an audited warrant on the treasury therefor, and the Treasurer of State is hereby authorized and required, to

Officers of state to employ some person to distribute the laws, &c.

Sec'y cer- tify that un- dertakers have per- formed their contract.

pay such warrant out of any money in the treasury not otherwise appropriated.

SEC. 12. That so soon as the person who may undertake to do such aforesaid binding and lettering of the aforesaid one hundred and thirteen copies or volumes of the revised laws, shall have done the same according to contract, and delivered the said copies or volumes so bound and lettered to the Secretary of State, the Secretary of State shall give to such undertaker, under his hand and seal, a certificate certifying the same, and also certifying the amount due to such undertaker for doing the same; which certificate of the Secretary of State, shall authorize and require the Auditor of State, to give to such undertaker an audited warrant on the treasury therefor, and the Treasurer of State is hereby required to pay such warrant out of any money in the treasury not otherwise appropriated.

Sec'y cer-
tify in fa-
vour of bin-
der.

Officer de-
liver books
to his suc-
cessor.

Officers of
state to con-
tract with
printer.

SEC. 13. Every county and township officer who shall receive a copy or volume of the revised laws of this session of the General Assembly, shall on going out of office in any manner whatever, deliver over all copies or volumes he may have so received, to the Clerk of his county or to his successor in office, and on failure so to do, shall forfeit and pay not more than ten nor less than five dollars, recoverable in an action of assumpsit in the name of the state of Indiana; one half for the use of the state and the other half for the use of the informer.

SEC. 14. The Secretary, Treasurer and Auditor of the State, or a majority of them, are hereby authorized and required to make and close on the behalf of the state of Indiana, a contract or contracts with one or more printer or printers in this state, at least one hundred days before the first day of the next General Assembly, for all the public printing that may be required for any time not exceeding three years, upon the most advantageous terms, taking into view the manner,

time, and place of doing the same, by entering into bond with any such printer or printers, the said printer or printers giving sufficient security for their true and faithful performance, setting forth explicitly the manner in which such public printing is to be executed, and time and manner of paying for the same; and the Secretary, Treasurer and Auditor of State, shall in like manner, sixty days before the first day of each General Assembly, close a contract or contracts with some person or persons, for furnishing the necessary firewood or other fuel, and stationary for the use of both Houses of the General Assembly, and shall enter into bond as in the case of contracts for printing; which contracts shall be severally reported to the General Assembly, within three days after the commencement of each session, by the Secretary of State.

SEC. 15. Previous to entering into any such contract or contracts, the Secretary, Treasurer and Auditor of State shall give public notice thereof, in such way and manner as they or a majority of them shall deem most advisable.

SEC. 16. In all cases of public printing under this statute, his Excellency the Governor of the state of Indiana, shall superintend and examine or cause to be superintended and examined, all proof sheets and see that the same is correctly done; for which service and the making the aforesaid marginal notes, the Governor of the state is hereby authorized to allow him out of the contingent fund, such sum as may be reasonable and just.

This act shall take effect and be in force, from and after its passage.

Contract
for fuel, sta-
tionary, &c.

Governor
superintend
read proof-
sheets, &c.

CHAPTER II.

AN ACT making additional appropriations for the Court House at Indianapolis.

Approved—January 2, 1824.

Preamble.

WHEREAS, It satisfactorily appears that a further appropriation, out of the fund arising from the sales of land, of the four sections donated by the United States, to this state, for a seat of Government, is necessary for the completion of the Court House at Indianapolis, in the manner required by law, to make it suitable for the use of the General Assembly and the Supreme and Federal Courts: Therefore,

Appropria-
tion.

SEC. 1. *Be it enacted by the General Assembly of the state of Indiana,* That the further sum of five thousand nine hundred and ninety six dollars be, and the same is hereby appropriated, for the completion of said building, as required by law, payable out of any monies which may hereafter be received by the agent for the state, at Indianapolis, on account of sales of the town lots or any other part of the donated four sections above named; which sum the said agent is directed to pay, as he may receive the same, to the draft of the Marion county commissioners, for the above purpose.

Agent to
pay.

Gallery.

SEC. 2. That the county commissioners of the county of Marion, shall cause to be made, built and erected, a good, complete and sufficient gallery in the room in said building, intended for the Representatives' Hall, sufficient and suitable for the accommodation of spectators and others, with at least two rows of seats therein; which said gallery shall extend across the south end of the said Representatives' Hall, and shall be in all respects, substantial, good, sufficient and complete, and finally finished in a style comporting with the general style of said building, and the entry

into said gallery, shall be from the flight of stairs through a door in the interior brick wall of said building, and the said commissioners shall also cause to be made, erected and finished in the said Representatives' Hall & Senate Chamber, good, suitable, sufficient and complete seats, with good, substantial, sufficient and complete tables in front of the same, for the accommodation of one hundred persons: and the said tables shall have in them one hundred drawers, of a large and convenient size, with good locks and keys thereto, for the use of the Senators and Representatives, and that said seats and tables, shall be made substantial, firm, sufficient and suitable, and be finished in good and complete, plain, workmanlike manner: and that no part of the money appropriated by this act, shall be paid over, until the agent of Indianapolis shall be satisfied, that the said gallery, seats and tables, and all things relating thereto, are done and finished according to the true intent and meaning of this section of this act, or until said agent is well satisfied that the same will be done in due time and manner.

Seats and
tables in H.
R. and Sen.
chamber.

Money not
to be paid
till gallery,
seats and
tables are
finished.

CHAPTER III.

AN ACT to dissolve the Bands of Matrimony between Willis Kelly and Dardania his wife.

Approved—December 22, 1823.

Be it enacted by the General Assembly of the state of Indiana, That the bands of matrimony, heretofore existing between Willis Kelly and Dardania Kelly his wife, be, and the same are hereby dissolved; and the said Willis Kelly be, and he is hereby freed from all obligations, on

account of his marriage contract, in all respects, as though the same had not been entered into.

This act to take effect and be in force from and after its passage.

CHAPTER IV.

AN ACT to dissolve the Bands of Matrimony heretofore entered into, between Green B. League and Nancy League, his wife.

Approved—December 17, 1823.

Be it enacted by the General Assembly of the state of Indiana, That the bands of matrimony, heretofore entered into, between Green B. League and Nancy League, his wife, late Nancy Dewees, be, and the same are hereby dissolved, to all intents and purposes, as completely as if the same had never been entered into; and that the said Nancy League, may be permitted to resume her former name, Nancy Dewees.

This act to be in force from and after its passage.

CHAPTER V.

AN ACT divorcing Thomas P. Lewis from his wife Elizabeth Lewis.

Approved—December 17, 1823.

Be it enacted by the General Assembly of the state of Indiana, That the bands of matrimony, heretofore contracted, between Thomas P. Lewis and his wife Elizabeth Lewis, are hereby dis-

solved and annulled, to all intents and purposes, as fully as if the same had never been entered into.

This act to be in force and take effect from and after its passage.

CHAPTER VI.

AN ACT divorcing Jane Spencer from her husband, Moses Spencer.

Approved—January 22, 1824.

Be it enacted by the General Assembly of the state of Indiana, That Jane Spencer, of Sullivan county, be, and she is hereby divorced from the bands of matrimony, from her husband, Moses Spencer, to all intents and purposes, as fully as if the same had never been entered into.

This act to take effect and be in force, from and after its passage.

CHAPTER VII.

AN ACT to legalize the marriage of William Field to Elizabeth Arbuckle.

Approved—January 7, 1824.

WEEREAS, It has been represented to the present General Assembly, that doubts are entertained of the legality of the marriage of William Field to Elizabeth Arbuckle, in consequence of the rites of matrimony having been solemnized in Lexington township, in the county of

Preamble.

Jefferson and state of Indiana, by Michael Monroe, a justice of the peace in and for Republican township, in the county and state aforesaid, by which illegality, much inconvenience may be experienced by the issue of the said William and Elizabeth: For remedy whereof,

SEC. 1. Be it enacted by the General Assembly of the state of Indiana, That the marriage heretofore solemnized by the said Michael Monroe, justice as aforesaid, between the said William Field and Elizabeth Arbuckle, be and the same is hereby declared lawful to all intents and purposes, and the issue of the said marriage fully and completely legitimate.

Marriage
legalized.

SEC. 2. Be it further enacted, That all marriages, which heretofore have been solemnized by any justice of the peace, out of the township for which he was or may be commissioned, provided they were within the county in which such justice resided, at the time of the solemnization thereof, are hereby declared legal to all intents and purposes, and the issue thereof fully and completely legitimate.

Similar
marriages
legalized.

CHAPTER VIII.

AN ACT for the benefit of Polly Brown and the infant heirs of the late Henry Brown, of Lawrence county, deceased.

Approved—January 30, 1824.

WHEREAS, The family of Henry Brown, deceased, late of this state, have emigrated to Kentucky, and his widow, by her petition, has represented to this General Assembly, that it would be advantageous to her and her children,

Preamble.

to have a quarter section of land, which they hold in this state sold, and the proceeds vested in land in Kentucky, for them to reside on.

SEC. 1. Be it enacted by the General Assembly of the state of Indiana, That Samuel Berry, esq. of the county of Woodford, and state of Kentucky, is by this act, authorized and empowered, to sell a tract of one hundred and sixty acres of land, lying in the county of Lawrence, in this state, it being the north east quarter of section ten, in township five north of range one east, and which was granted by the government of the United States, to James Mundell and Polly Brown, administrator and administratrix, of Henry Brown, deceased, assignees of Robert Brooks, by patent, bearing date the twenty third day of November, one thousand eight hundred and twenty.

SEC. 2. That before the said Samuel Berry shall proceed to sell the said land, he shall enter into bond, with good security, in the penalty of one thousand dollars, in the county court of Woodford, in the state of Kentucky, made payable to said Polly Brown and to the heirs of said Henry Brown, deceased, for the faithful performance of the duties and trust, imposed on him by this act; and after such bond shall be given in said court, and a copy thereof duly certified, which shall be recorded in the clerk's office in Palestine, in said county of Lawrence and state of Indiana, it shall be lawful for said Samuel Berry, to sell the said tract of land, and make a deed of conveyance to the purchaser or purchasers thereof; which deed shall effectually pass all the right, title and interest, of the said Polly Brown, as administratrix and as widow, and as heir-at-law of said Henry Brown, deceased, and of said James Mundell, administrator, and of Lewis Brown, Morris Brown, Benjamin Brown, John Brown, Berry Brown, Polly Brown and Saml. Berry authorized to sell land.

Convey.

Margaret Brown, the infant children and heirs-at-law of the said Henry Brown, deceased.

SEC. 3. *Be it further enacted*, That it shall be lawful for the said Samuel Berry, to purchase a tract of land, in the state of Kentucky, for the said Polly Brown, widow of said Henry Brown, and for the said heirs above mentioned, with the money arising from the sale above authorized, and cause the title thereof, to be made to the said children and heirs of Henry Brown, deceased, reserving in said title, a life estate therein, of a dower of one third thereof, to the said Polly Brown, widow, as before mentioned.

May pur-
chase land
in Ky.

CHAPTER IX.

AN ACT for the relief of James Garritt.

Approved—January 7, 1824.

Preamble.

WHEREAS, It is represented to this General Assembly, that James Garritt, of the county of Sullivan, in consequence of sickness, was not able to apply for damages, which he sustained, by the running of certain state roads, through his lands, within the time prescribed by law; Therefore,

Be it enacted by the General Assembly of the state of Indiana, That James Garritt be, and he is hereby allowed the further time of one year, from and after the first day of January, one thousand eight hundred and twenty four, to apply to the circuit court, of the county of Sullivan, according to the provisions in the first section of an act, entitled "An act for the altering state roads and for other purposes,"—approved, January 9, 1823.

Further
time allow-
ed for appli-
cation to
the court.

This act to be in force, from and after its passage.

CHAPTER X.

AN ACT providing for the alteration of a cer- tain State Road.

Approved—January 30 1824.

WHEREAS, It is represented to this General Assembly, by divers petitions, that sundry persons, through whose lands a certain state road, from Lawrenceburgh, through Rising Sun and Vevay, to Madison, runs, are desirous to have the same changed: For remedy whereof,

SEC. 1. *Be it enacted by the General Assem-
bly of the state of Indiana*, That if any person ~~Read~~ may or persons, through whose land said state road be changed. passes, shall or may be desirous to have any change or alteration, of said road, on their own land, any such person or persons, may, at any time previous to or after cutting out and opening of said road, apply to the circuit court, of the proper county, by petition, to have such part of said road reviewed and altered, particularly setting forth in said petition, the part of said road, prayed to be altered; whereupon the circuit court ^{Cir. Court} shall appoint three disinterested freeholders, ^{of may order} the proper county, commissioners, to view such proposed alteration of said road; which said commissioners, when so appointed, shall meet within thirty days thereafter, and when so met, shall go before some justice of the peace and take a solemn oath or affirmation, faithfully and impartially, to discharge their duties as such commissioners, and after they have so taken such oath or affirmation, they shall proceed to view the said state road as it may then stand, and the way proposed to alter it, and if reason and justice to the individual and the public, will war- rant the said proposed alteration; they shall ac- ^{Reviewers} cordingly so lay off and mark such alteration, and ^{mark alter-} shall make a complete return of all their proceed- ^{ation}

ings, in writing, to the said circuit court, under their hands and seals, and the same shall be filed in the clerk's office of said circuit court, and be recorded where the original road was recorded, and such alteration, when so recorded, shall to all intents and purposes, be a part of said state road, and be opened accordingly, and the part of said state road, from whence it may be so altered, shall be thereupon vacated.

SEC. 2. The commissioners so appointed, under the provisions of this act, shall each receive the sum of seventy five cents per day, for his services; which shall be allowed him by the circuit court, and be entered upon the record of said court, and an order of the said court shall also be entered, that the person or persons, who petitioned for the alteration or alterations, of said state road, shall pay the same, together with all other costs, which may have accrued, in and about the same: and if such petitioner or petitioners shall fail to pay the same, or any part thereof, after due notice of such order, the court shall have power to compel the payment thereof, by any legal order or compulsory process.

This act shall take effect and be in force, from and after the first day of March next.

Reviewers
75 cts. per
day.

CHAPTER XI.

AN ACT to establish a state road from Terre Haute to Crawfordsville.

Approved—January 7, 1824.

SEC. 1. *Be it enacted by the General Assembly of the state of Indiana, That Jacob Bell of Parke county, James Smith of Montgomery county, and Peter Allen of Vigo county, be and they*

Commissioners.

are hereby appointed commissioners, to view, mark and lay out a permanent state road from the town of Terre Haute, in the county of Vigo, to the town of Crawfordsville, in the county of Montgomery

SEC. 2. The said commissioners shall meet in the aforesaid town of Terre Haute, on the first Com's meet Monday of May next, or on any other day there- first Mon- after that may be agreed upon by a majority of them, and after taking an oath, faithfully and impartially to discharge the duties enjoined them by this act, shall proceed to lay out said road, in the nearest direction and on the best ground, and mark the same so as to identify it, and cause the said road to be surveyed.

SEC. 3. The said commissioners or a majority of them, shall immediately after the location of said road, make out a report of the same, and Com's make file it within sixty days thereafter in the several report. offices of the Clerks of the counties through which said road may run, and it is hereby made the duty of said Clerks, to record the same with- Clerks re- cord the same. in twenty days after they shall receive it, in the record book of the proceedings of the county commissioners, of their respective counties.

SEC. 4. It shall be the duty of the county commissioners for each of the counties aforesaid, at County their first meeting after said road shall be laid out, com's cause marked and reported as aforesaid, to cause the to be open- ed. same to be opened any width not exceeding sixty feet, and made agreeably to, and under the provisions of the several acts which now are, or may be in force in this state, for the opening and repairing of public roads and highways: and the Com's sur- said commissioners hereby appointed to view and veyor &c. mark said road, and the surveyor and other per- their com- sons employed by them shall be allowed such pensation. compensation for their services, as the county commissioners of the respective counties may deem reasonable, through which the said road may

pass, to be paid out of the county funds of the said counties respectively.

CHAPTER XII.

AN ACT to authorize the location of certain state roads.

Approved—January 31, 1824.

From Jacobs' Ford on Silver creek, by Pine Lick to State Ford Muscatatuck.

From Napoleon to the road from Greensburgh to Columbus.

SEC. 1. *Be it enacted by the General Assembly of the state of Indiana, That Daniel P. Faulkner and Joseph Bell of the county of Clark, and James Craig of the county of Scott, are hereby appointed to view, locate and mark a road from or near Jacobs' Ford on Silver creek, on the state road leading from Jeffersonville to Salem, to intersect the state road leading from M'Donald's ferry, on the Ohio river, in Clark county, to Brownstown in Jackson county, at or not more than one mile and a half east of a place called the Pine Lick, on the last mentioned state road; thence to meet a road at Charles Cox's, at the Scott county line, thence to intersect the state road from Bethlehem to the falls of the Driftwood Fork of White River, at the Slate Ford on the South Fork of Muscatatuck.*

SEC. 2. *That Philip Riggs and William Wilson of the county of Ripley, and Dudley Taylor of the county of Decatur, are hereby appointed commissioners to view, locate and mark a road from Napoleon in the county of Ripley, to intersect the road leading from Greensburgh to Columbus, where the same crosses the line between said counties.*

SEC. 3. *That Samuel Pickering of Henry county, John Roberts of Madison county, and Jeremiah Johnson of Marion county, are hereby*

appointed commissioners to view, locate and mark From New Castle to Indianapolis.

SEC. 4. *That William Ramsey and William Baker of the county of Jennings, and John Stanfield of the county of Jackson, are hereby appointed commissioners to view, locate and mark a road from the town of Vernon in the county of Vernon to Jennings, to Stringtown in the county of Jackson. Stringtown.*

SEC. 5. *That James Blake of Marion county, Alexander Ewing of Allen county, and William Conner of Hamilton county, are hereby appointed commissioners to view, locate and mark a road from Indianapolis to Noblesville in Hamilton county, thence to Fort Wayne, thence to the state line, to intersect a road located by the state of Ohio, from Fort Defiance on a direction to Fort Wayne.*

SEC. 6. *That Levi Nugent of Lawrence county, Benjamin Bosley of Orange county, and Seth Levenworth of Crawford county, are hereby appointed to view, locate and mark a road from Levenworth's mill, to Peter Stalcop's in the county of Orange.*

SEC. 7. *That Isaac Morgan and William Brundage of Dearborn county, and James Johnson of Franklin county, are hereby appointed commissioners to view, locate and mark a road from the court house in the town of Brookville, Franklin county, and running from thence to the town of Harrison in Dearborn county.*

SEC. 8. *That Jacob Bake, James Webster and John Davis of the county Franklin, are hereby appointed commissioners to view, locate and mark a road commencing at a point where the state road leading from the Ohio line, by the way of Dunlapsville to Connerville, crosses Sand Run, in the township of Bath, thence west or nearly so, to the east end of William Coome's lane, thence through the lanes of said Coome and Alexander Sand Run, Fairfield & Somerset to Rushville.*

Dubois, thence to the town of Fairfield, thence to Somerset, thence to Rushville in Rush county.

SEC. 9. That John Dawson and David Guard of the county of Dearborn, and Samuel Rockafeller and Solomon Allen of the county of Franklin, are hereby appointed commissioners to view, locate and mark a road from Lawrenceburgh in the county of Dearborn, to Brookville in the county of Franklin.

SEC. 10. That the said commissioners, shall meet at the various points, at which their respective roads commence, on the first Monday of May next, or as soon thereafter as they or a majority of them, may appoint, and after having taken an oath, for the faithful discharge of their duty, shall proceed to view, locate and mark their respective roads, agreeably to the provisions of this act.

SEC. 11. Said commissioners shall make plats of their respective roads, and cause the same to be recorded by the clerks of the boards of county commissioners, of the counties through which the same shall pass; and such roads, so located as aforesaid, shall be and remain permanent state roads, and shall not be changed, but by legislative authority: and it shall be the duty of such county commissioners, to make such compensation to said commissioners, and to such surveyor and others, as they may have in their employ, as said county commissioners may deem reasonable, to be apportioned in the counties through which the same may pass, agreeably to the length thereof.

SEC. 12. It shall be the duty of the commissioners of the several counties, through which the said roads or any other road laid out by the authority of the Legislature shall pass, to cause the same to be opened and kept in repair as county roads are.

SEC. 13. That so much of the state road, as runs through the counties of Franklin and Fayette, as is located by the commissioners appoint-

Lawrence-
burgh to
Brookville.

Commis-
sioners to
meet.

To make
plats for re-
cord.

Compensa-
tion.

County
com's to
open said
roads.

ed by an act to locate a state road from Lawrenceburgh to Brookville, thence to Connerville, thence to Centreville, thence to Winchester, and thence to Fort Wayne, approved. January first, one thousand eight hundred and twenty-three, in pursuance of the plat filed in the counties of Franklin and Fayette, through which the same runs, and which is also filed in the office of the Secretary of State, be and the same is hereby established.

SEC. 14. The eighth section of an act, entitled "An act to establish a state road from Aurora in the county of Dearborn, to Napoleon in the county of Ripley, and certain other roads therein named," approved, January sixth, one thousand eight hundred and twenty three, be and the same is hereby repealed.

CHAPTER XIII.

*AN ACT establishing certain State Roads there-
in named.*

Approved—January 14, 1824.

SEC. 1. *Be it enacted by the General Assembly of the state of Indiana, That Thomas Wise, of the county of Jefferson, James M'Clasky, of the county of Ripley and John House, of the county of Decatur, be, and they are hereby authorized to view, locate and mark a road, in the nearest direction and on the best ground, from the town of Madison, in the county of Jefferson, to Greensburgh, in the county of Decatur.*

From Mad-
ison to
Greensb'gh.

SEC. 2. *That William Campbell, Joseph Kulp and Jerub Richmond, be, and they are hereby appointed commissioners, to view, locate and mark a state road, from the town of New York, on the Ohio river, in the county of Switzerland,*

From New
York to the
road from
Vevay to
Versailles.

north-westwardly, the nearest and best route, by or near John Dickerson's, so as to strike the south line of the south east quarter of section number thirty two, in township number three, of range number two west, which is the Congressional township line; thence due west, following said line, crossing the county road leading from Vevay to Lawrenceburgh, a little south of Allenville; thence on the nearest and best ground, as nearly due west as may be practicable and useful, until it intersects the state road, from Vevay to Versailles.

SEC. 3. That Abraham M'Coy, of the county of Jefferson, Henry Banta, esq. of the county of Switzerland, and Timothy Davis, of the county of Dearborn, are hereby appointed and authorized, to view, locate and mark a road, from the town of Madison, in the county of Jefferson, to the town of Lawrenceburgh, in the county of Dearborn: and that Gerardus Ryker, of Jefferson county, William Plasket and Joseph Bartholomew, of Clark county, be, and they are hereby appointed commissioners, to view, mark and lay out a state road, from Madison, through New London, Bethlehem and Charlestown, to Jeffersonville.

SEC. 4. That William D. Lynch, of the county of Orange, Cortland Seeley and John Rinehart, of the county of Martin, and James Alford, of the county of Daviess, are hereby appointed to view, locate and mark a road, from the Halfmoon spring, in the county of Orange, to the French Lick; and from thence, to Johnson Faries, jun'r, in Martin county; and from thence, to Washington, in Daviess county.

SEC. 5. That Julius Johnson and John Riley, of the county of Martin, and William Watson, of the county of Daviess, are hereby appointed to view, locate and mark a road, from Hindostan, in the county of Martin, to Carlisle, in the county of Sullivan.

From Madison to Lawrenceburgh.

From Half-moon spring by French Lick to Washington.

From Hindostan to Carlisle.

SEC. 6. That William Buscoe, Samuel Hind- From Cy- man and Silas Daviess, of the county of War- presstown rick, be, and they are hereby appointed to view, to Boonville locate and mark a road, from Cypresstown, on the Ohio river, to Boonville.

SEC. 7. That Levi A. Nugent, of Lawrence county, Benjamin Bosley, of Orange county, and Seth M. Levenworth, of Crawford county, are hereby appointed to view, locate and mark a road, From Peter Stalcop's, to Daniel Rawlin's, and thence to Orleans, in the county of Orange.

SEC. 8. That Benjamin B. Kerchival, Alexander Ewing and Samuel Hanna, of Allen county, are hereby appointed to view, locate and mark a road, from Fort Wayne, to intersect a road established by the state of Ohio, from Piqua, passing St. Mary's, in a direction to Fort Wayne.

SEC. 9. That Abisha M'Kay, James Landsdale and Jacob Vanosdal, are hereby appointed to view, locate and mark a road, from James M'Kay's, on the Ohio river, to intersect the state road, running from Vevay to Indianapolis, at or near the fourteen mile post.

SEC. 10. That John Vawter, of Jennings county, David Fouts, of Washington county, and Harper Cochran, of Scott county, are hereby appointed to view, locate and mark a road, from Salem, in the county of Washington, to Vernon, in the county of Jennings, crossing the river Muscatituck, at or near the mouth of Oxe's fork.

SEC. 11. That John B. New and John Bonner, of the county of Jennings, and James Ray, of the county of Ripley, are hereby appointed to view, locate and mark a road, from the town of Vernon, in the county of Jennings, to the town of Versailles, in the county of Ripley.

SEC. 12. That Samuel M'George, of the county of Marion, Uriah Hults, of the county of Hendricks, and John M'Cullough, of the county of Montgomery, are hereby appointed to view,

From Indianapolis to Crawfordsville.

Location from Terre Haute to Ft. Wayne continued.

Tobacco Landing to Levenworth's mill

From Vernon to Ft. Wayne.

Winchester by Indianapolis to Crawfordsville.

Com's when and where to meet.

Take oath.

locate and mark a road, from Indianapolis, in the county of Marion, to Crawfordsville, in the county of Montgomery; and the commissioners appointed to locate the state road, from Terre Haute, to Fort Wayne, by the act of the General Assembly, for that purpose,—approved, January 11th, 1823; or a majority of said commissioners, be, and they are hereby authorized to continue the location of said road, according to the provisions of said act.

SEC. 13. That James Pell, George Boon and George Bently, of the county of Harrison, are hereby appointed to view, locate and mark a road, from the Tobacco Landing, in Harrison county, to Levenworth's Mill.

SEC. 14. That William T. Stott, of the county of Jennings, Hiram Dayton, of Decatur county, and Adam Caude, of Rush county, be, and they are hereby appointed to view, locate and mark a road, from Vernon to Greensburgh; thence to Rushville, thence to New Castle and thence to Fort Wayne.

SEC. 15. Alexis Jackson, of Marion county, William C. Blackmore and Curtis Mallery, of Hamilton county, be, and they are hereby appointed commissioners, to lay out a state road, commencing at a point on the state road, from Winchester to Indianapolis, where it approaches nearest to Andersontown; thence in as direct a route as is practicable, to the seat of justice, to be established in Hamilton county, and thence in as direct a line as the ground will permit, to Crawfordsville, in Montgomery county.

SEC. 16. That the persons appointed by the authority of this act, unless otherwise provided for, shall meet at the various points, at which their respective roads commence, on the first Monday of May next, or so soon thereafter, as they or a majority of them, may appoint, and after taking an oath for the faithful discharge of their respective duties, they shall proceed to

view, locate and mark their respective roads, between the points named in this act; which, when located, shall remain unalterable, except by Legislative authority.

SEC. 17. That it shall be the duty of the county surveyors of the respective counties through which said roads may pass, to attend with the County commissioners appointed to view, locate, and mark such roads through their (the surveyors) respective counties, and survey such road, and perform such other services connected with the duties of their office, as said commissioners may require: *Provided however*, That if the commissioners aforesaid shall employ some skilful surveyor to attend them, then and in that case, it shall not be the duty of such county surveyor to attend; provided also, that the commissioners shall notify the surveyor of the time and place, his services may be required.

SEC. 18. The said commissioners, or a majority of them, shall immediately after completing their respective locations, make a correct report Reports of the same, setting forth the course and distance how made, of their respective roads, from the place of beginning, and sign their names thereto, a copy of which shall be filed with the Clerks of the boards of county commissioners, of the counties through which the same may pass, which report shall be recorded in the record book of said county commissioners.

SEC. 19. It shall be the duty of the boards of county commissioners, through which the said roads may pass, at their first meeting after such road shall be located and reported as aforesaid, to cause the same to be opened any width not exceeding forty feet, and to cause the same to be kept in repair, agreeably to the law which now is, or hereafter may be in force, for the opening and repairing of public roads and highways.

SEC. 20. If any person or persons, through whose land the said roads may run, shall consid-

Persons ag- er himself, herself, or themselves aggrieved, by grieved, their reme- they shall have the same remedy for the recov- dy. ry of damages, that now is or hereafter may be given to persons, through whose land county roads are laid, and the damages, if any which may be assessed, shall be paid out of the county treasury of the several counties, where the same may be respectively claimed.

County com'st to pay surveyors, &c. SEC. 21. The several boards of county commissioners, through whose counties the said roads may be established, shall make such compensation to the said road commissioners, and to the several surveyors and chain carriers, who may be respectively employed in viewing, locating, and marking such roads, as they may deem reasonable and equitable; which they are hereby directed to allow and pay out of their respective county treasuries, in the same manner, as other county claims are paid; each county paying in proportion to the distance, the roads may run through them respectively.

Vacancies how filled. SEC. 22. In all cases, where any of the commissioners appointed by the authority of this or any other act of this state, to view, locate, and mark any state road, shall die, resign, remove, or refuse to serve, before such road may be located, it shall be the duty of the county commissioners, where such person shall die, resign, remove, or refuse to serve shall have resided, at the time of his appointment, to appoint some other disinterested person to fill such vacancy, who shall possess the same powers, and perform the same duties, as his predecessor might or ought to have done.

From Browns- town to Madison opened in part. SEC. 23. It shall be the duty of the county commissioners of the counties, through which a state road passes, leading from Madison in the county of Jefferson, to Brownstown in the county of Jackson, to cause said road to be opened and kept in repair from the town of Paris in the coun-

ty of Jefferson, to Brownstown aforesaid, in the same manner, that county roads are opened and repaired.

CHAPTER XIV.

An ACT authorizing a review of a certain state road therein named.

Approved—January 31, 1824.

WHEREAS, It is represented to this General Assembly, that a certain state road, from Mount Vernon to Springfield, thence to Owensville, thence to Princeton, established by the fourth section of an act, approved, December 31st, 1821, has been marked, laid off and established by the commissioners appointed to mark, lay off, and establish the same, on very bad and impassable ground, when better ground can be easily found: For remedy whereof,

SEC. 1. *Be it enacted by the General Assembly of the state of Indiana, That Andrew Cavitt and Thomas Givens of Posey county, and James Smith of Gibson county, be and they are hereby appointed commissioners to review said state road, and take into consideration all alterations which may be proposed, and for that purpose, shall meet at the town of Springfield aforesaid, on the first Monday in April next, or as soon thereafter, as they or a majority of them shall agree on; and when so met, they shall take the same oath, give the same bond, and have the same election for a President, and do all the same preparatory acts, which the commissioners appointed by the aforesaid fourth section of the above recited act, were required to take, give, hold, do, and perform, and after the said commission-*

Old road from Mt. Vernon to Springfield on bad ground.

Com's ap- pointed.

When to meet.

Proceed to
review.

ers appointed by this act, shall have done and performed all the said preparatory acts, they shall then proceed to review said state road, and all proposed alterations, and if they shall determine said state road, or any part thereof, ought to be altered, they shall then employ a surveyor, chain-bearers and marker, and proceed and survey, mark, measure, and lay off such alterations: *Provided*, That such commissioners shall only have power and authority to review and alter that part of said state road, which lies between Springfield and Owensville.

SEC. 2. And when said commissioners shall have finished surveying, measuring, laying off, and marking such alterations thereof, shall make a complete record of the same, with the field notes, courses and distances thereof, and shall also make complete copies of the same, under their hands and seals, and file the same in the Clerk's office of each county, through which the said roads may run, and the Clerk shall record the same, and such alterations, when so surveyed, measured, marked, laid off and recorded, shall forever afterwards be, to all intents and purposes, the said state road, and so much of the old, laid off, surveyed, and marked state road, shall be forever vacated and void.

Report to be
recorded.

Com's, sur-
veyor, &c.
compensa-
tion.

SEC. 3. The said commissioners shall each receive one dollar per day, and the chain bearers and markers each seventy-five cents per day, and the surveyor one dollar and fifty cents per day, to be paid out of the treasury of the counties through which said road may run, in equal proportion to the distance said state road may run through each county.

The afore-
said com's,
to be com's
of the road.

SEC. 4. The commissioners appointed by this act, if they shall alter said state road, or so much thereof as shall amount to one half thereof as aforesaid, shall forever afterwards be the commissioners on said state road, and shall cause the same to be opened in the same way and manner,

that the commissioners heretofore appointed by the fourth section of the before recited act, could or would have done, and do and perform all other acts and things, which is required of the said old commissioners.

CHAPTER XV.

AN ACT vacating part of the state road from Bethlehem by the way of New Washington and Lexington, to intersect the state road from Mauk's ferry to Indianapolis, and for other purposes.

Approved—January 26, 1824.

Be it enacted by the General Assembly of the state of Indiana, That William Plaskett, James Who com's. Ward and William Reddick, commissioners appointed by an act of the General Assembly, to lay off a road from Bethlehem by New Washington and Lexington, to the falls of Driftwood, and from thence to intersect the road from Mauk's ferry to Indianapolis, are hereby authorized to view and continue said road from the house of William Reddick, in Bartholomew county, to Columbus in said county, the nearest way, and on the best ground that can be had, and the said road, when viewed as aforesaid, shall be considered as a part of the road from Bethlehem by New Washington and Lexington, to the falls of Driftwood, and from thence to the Mauk's ferry road as aforesaid, to all intents and purposes, and the commissioners aforesaid, shall govern themselves accordingly: and so much of said road as lies between the house of the aforesaid William Reddick, and the road leading from Mauk's Old road vacated.

ferry to Indianapolis, be and the same is hereby vacated.

This act to take effect and be in force, from and after its passage.

CHAPTER XVI.

AN ACT authorizing a review of the state road leading from Salem to Bono, and for other purposes.

Approved—January 14, 1824.

WHEREAS, It is represented to this General Assembly, that that part of the state road leading from Salem, in the county of Washington, to Bono, in the county of Lawrence, which was located under the provisions of an act authorizing the laying off certain state roads in this state, and appropriating one hundred thousand dollars of the fund commonly called the three per cent. fund, for opening said roads, approved, December 31, 1821, is not on the most eligible and suitable ground; and whereas a review and relocation of said state road, is prayed for by numerous petitioners: Therefore,

SEC. 1. *Be it enacted by the General Assembly of the state of Indiana, That James M'Kinney, Robert M'Intire, and Absalom Sargent of Washington county, be and they are hereby appointed commissioners to review the above mentioned part of said road, and also to examine the ground on and near which, the county road between Salem and Bono now runs; and if in the opinion of a majority of them, the present state road is located on the most suitable ground, then in that case, no alteration shall be made in said road; but if in their opinion, public utility re-*

Preamble.

Commiss.
sioners.

quires an alteration in said state road, then in that case, the said commissioners, or a majority of them, shall proceed to mark, lay out, and locate said road on the best ground, and on the nearest route from Salem to Bono as aforesaid, keeping as near the county road as circumstances will permit, and the public good require, a width not exceeding sixty feet; and shall make out under their hands and seals, a report of their proceedings therein, at full length, a copy of which, they shall file or cause to be filed in the Clerk's office of the circuit court of Washington county, which shall be recorded by said Clerk, in the record book of the county commissioners of said county; which road when so marked, laid out, recorded, and opened pursuant to the provisions of this act, and in every respect made equal by the petitioners praying for such alteration, to the said state road hereby authorized to be reviewed, the same shall ever after, be taken, considered, and kept in repair, in the room of the said state road heretofore laid out and opened in pursuance of the aforesaid act, which shall thereafter be vacated to all intents as though the same had never been opened: and the money authorized to be laid out on said road, and yet unappropriated, shall be received by such commissioners, and applied on the road to be relocated, in the same manner, as the three per cent. fund is now applied on state roads.

SEC. 2. The commissioners aforesaid, shall meet in the town of Salem, on the first Monday in April next, or as soon thereafter as convenient, and after taking an oath or affirmation, proceed to discharge the duties enjoined on them by the provisions of this act, and make return of their proceedings within fifteen days after they or a majority of them shall have met as aforesaid.

SEC. 3. The commissioners employed as aforesaid, shall have power to employ a surveyor, ploy sur-chain bearers, and markers, who shall receive the veyor, &c.

Compensa-
tion & how
paid.

same allowance per day, as has been heretofore allowed to surveyors, chain bearers, and markers employed on state roads in this state; which allowance, together with one dollar per day to each of the commissioners, whilst employed as aforesaid, shall be paid by the petitioners praying for the re-location of said state road.

Vacancies
how filled.

SEC. 4. *Be it further enacted*, If any of the above named commissioners shall fail or refuse to serve, the county commissioners of the county of Washington, shall appoint some disinterested, suitable person or persons to fill such vacancy; and the person or persons so appointed, shall take an oath or affirmation and proceed in the same manner as heretofore directed in the provisions of this act: and the said road shall be under the control of the county commissioners, of the counties of Washington and Lawrence, to be kept in repair as other county or state roads are to be kept in repair.

Cir. Court
of Vander-
burgh co.
may appoint
reviewers
of road from
Evansville
to Terre
Haute.

SEC. 5. The circuit court of Vanderburgh county, shall have power, on application by petition of a portion of the citizens of Scott township, in said county, to review that part of the state road leading from Evansville to Terre Haute, which lies between Samuel Scott's farm, and the place where the new state road and old county road come together, on the north of James Cameron's, and report such alterations as they may deem necessary; which altered road, when cut out by and at the expense of the petitioners equally good as the said state road, shall be considered the state road as aforesaid, in the same manner as if the same had been laid out and opened as a state road in the first instance.

This act to be in force from and after its passage.

CHAPTER XVII.

AN ACT in addition to the act, entitled "An act authorizing the laying off certain state roads in this state, and appropriating one hundred thousand dollars, of the fund commonly called the three per cent. fund, for opening the said roads—approved, December 31, 1821."

Approved—December 22, 1823.

SEC. 1. *Be it enacted by the General Assembly of the state of Indiana*, That a road from Rome ^{to Paoli.} Rome, in the county of Perry, to Paoli, in the county of Orange, be, and the same is hereby established, in length forty miles, to be opened not exceeding twenty feet in width, and in all other respects as the commissioners of the road shall direct, and when opened, shall be upon the same footing with the other state roads established by the act to which this is an addition: and that the sum of two thousand six hundred and twenty seven dollars, out of the money appropriated by the act, to which this is an addition, to the several roads west of the meridian road, which runs through Corydon, be, and the same is hereby appropriated to the opening of said road from Rome to Paoli.

SEC. 2. That John Riggs and John Cassidy of Perry county, and Zachariah Lindley of Orange county, be, and they are hereby appointed commissioners on said road, whose duty it shall be to meet at Rome, on the first Monday in June next, or at some day thereafter to be by them or a majority of them appointed, and whose compensation, per day, shall be the same with that of the road commissioners appointed by the act, to which this is an addition.

SEC. 3. That the Agent of the three per cent. fund, be, and he is hereby authorized to pay the money in this act appropriated, according to the

Com's to
meet.

Agent 3 per
cent. fund
to pay.

rules and regulations prescribed by the act, to which this is an addition, for the payment of similar appropriations, and that the said commissioners and undertakers of the road, the clerks of the circuit courts and county commissioners of the proper counties, and all other persons concerned, shall respectively have the same powers, and be subject to the same regulations and restrictions as are prescribed by the act, to which this is an addition.

This act to be in force from and after its passage.

CHAPTER XVIII.

An ACT supplementary to an act, entitled an act in addition to the act, entitled "An act authorizing the laying off certain state roads in this state, and appropriating one hundred thousand dollars of the fund commonly called the three per cent. fund, for opening the said roads, approved, December 22, 1823."

Approved—January 30 1824.

Be it enacted by the General Assembly of the state of Indiana, That the state road, which is established by the act to which this is a supplement, leading from Rome in Perry county, to Paoli, thence to Indianapolis, be and the same is hereby changed, so as to make Fredonia, Crawford county, a point; thence to intersect the state road leading from Leavenworth to Paoli, at the most direct and nearest point of said road: any thing to the contrary in the act to which this is a supplement notwithstanding: and that the same shall be viewed, located and opened agreeably to the act to which this is a supplement.

Fredonia a point.

CHAPTER XIX.

An ACT to change a part of the state road from New-Albany to Princeton.

Approved—December 13, 1823.

Be it enacted by the General Assembly of the state of Indiana, That so much of the state road leading from New-Albany to Princeton, as lies between the line dividing Pike and Gibson counties, and said town of Princeton, be and the same is hereby vacated: and that part of the Keg creek road, which lies between the line dividing the counties of Pike and Gibson, and Princeton, be and the same is hereby declared to be a permanent state road.

CHAPTER XX.

An ACT establishing a State Road from the French Lick to Hindostan, and for other purposes.

Approved—January 30, 1824.

SEC. 1. Be it enacted by the General Assembly of the state of Indiana, That Jeremiah Jones and Isaac Smith of Martin county, and Joel Charles of the county of Orange, be and they are hereby appointed to view, locate, and lay out a permanent road, beginning at the French Lick in the county of Orange, thence to Hindostan in Martin county; the said commissioners shall meet at the French Lick, on the first Monday in April next, and after taking an oath or affirmation, faithfully and impartially to discharge the duties enjoined on them by this act, shall as soon thereafter as may be, proceed to lay out and mark

Com's to
meet, &c.

said road, so as to identify the same, which road shall remain unalterable, and shall be opened, improved, and kept in good repair by the county commissioners, in the same manner, that other public roads are.

SEC. 2 That John Crow, John R. Montgomery, and Thomas Pride of the county of Pike, be and they are hereby appointed commissioners to view, locate, and establish a permanent road,

High Banks to the road from Princeton to Boonville.

beginning at the high banks on White River, in the county of Pike, thence to Thompson's mill, on Patoka river, thence to intersect the road from Princeton to Boonville, at or near the plantation of James Cochran: and the said commissioners, or a majority of them, shall meet at the house of Levi Kinman, on White River, in Pike county, on or before the first Monday of October next, and after taking an oath or affirmation, faithfully and impartially to discharge the duties enjoined on them, shall proceed to discharge the same in the same manner, as is enjoined on the commissioners named in the first section of this act, that Walter Wheatly and John L. Pittman, of Clark county, and John Anderson, esq. of Jefferson county, be, and they are hereby appointed commissioners to alter and straighten the road now leading from Charlestown, by the way of Works' mill and the town of Washington, in the county of Clark, to Madison, in the county of Jefferson, and that said commissioners meet at such time, as they may agree on and proceed to the execution of their powers, and the said road, when altered and straightened as aforesaid, and the expenses of which to be paid by subscription of individuals, shall be established as a state road.

SEC. 3. If a majority of the commissioners hereby appointed, shall fail or neglect to attend on the days and at the places appointed, they shall meet on any other day, which may be agreed upon by a majority of those who attend;

From Charles-town to Madison.

and in case of any vacancy, either by death, removal or refusal to serve, of either of the aforesaid commissioners, it shall be the duty of the associate judges of the county wherein the said vacancy may happen, to appoint a suitable person to fill such vacancy, who shall be governed in all respects, as the other commissioners are.

SEC. 4. The commissioners appointed to locate and mark the aforesaid roads respectively, are hereby authorized to employ a surveyor or surveyors to survey the whole or any part of the veyor. Employ sur- roads aforesaid, as they may deem proper.

SEC. 5. The said commissioners or a majority of them having met, viewed, laid out, and marked the said roads agreeably to the provisions of this act, shall immediately thereafter make out and sign correct reports of the same, which they shall file in the several offices of the clerks of the circuit courts in the several counties through which said roads may run, within thirty days thereafter, and it shall be the duty of said clerks to record the same within twenty days after the reports shall be so filed, and the said roads shall thereafter be and remain permanent.

SEC. 6. It shall be the duty of the boards of County commissioners, in each of the counties, through which either of the aforesaid roads may pass, at their first meeting after said roads are reported as aforesaid, to cause the same to be opened any width not exceeding sixty feet, and made agreeably to, and under the same provisions of the several acts, which now are or hereafter may be in force, in this state, for the opening and repairing of public roads and highways.

SEC. 7. The commissioners named or provided for in the foregoing sections of this act, shall be allowed one dollar per day each, for their services, and the said surveyors shall be allowed two dollars per day each, for their services, to be paid out of the treasuries of the several counties through which the aforesaid roads may pass.

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CHAPTER XXI.

*AN ACT for changing certain state roads there-
in named, and for other purposes.*

Approved—January 30, 1824.

SEC. 1. *Be it enacted by the General Assembly of the state of Indiana, That John Lewis of Bartholomew county, Thomas Russel and Joseph Young of Johnson county, are hereby appointed commissioners to relocate so much of the state road leading from Madison to Indianapolis, as lies between the nine mile post, on said road, north of Columbus, and George King's on said road.*

SEC. 2. *William Tyner, Sevier Lewis and Hugh Campbell of the county of Shelby, are hereby appointed commissioners to relocate so much of the state road leading from Lawrenceburgh to Indianapolis, as to make the same pass over the public square in the town of Shelbyville.*

SEC. 3. *The old state road from William Hawkins' in Daviess county, by the way of the falls of the West Branch of White river, to where it intersects the present state road, shall be adopted as part of such state road.*

SEC. 4. *That the commissioners on the state road from New Albany to Vincennes, be, and they are hereby authorized to change the said road, between the twelve and and fourteen mile posts, if the said commissioners can get better ground for said road, than where it now runs on: also between the twenty-one and twenty-four mile posts, to any place where they may think it best for the public good; and the commissioners of said road shall cause a plat of such alteration to be made out and certified by the surveyor, and attested by the commissioners or a majority of them, which plat they shall transmit to the clerk of the circuit court of the county, where such alteration*

Between 9
mile post &
Geo. King's
to be relo-
cated.

Pass by
Shelbyville.

Changed
for better
ground be-
tween 21 &
24 mile
posts.

shall be made, and it shall be the duty of such clerk to record the same, and such location, when so made, shall be the state road. *Provided how-
ever, That the above road shall not be so chang-
ed by said commissioners, as not to run through
Jacob Horner's lane, where it now runs.*

SEC. 5. *The circuit court of Gibson county, shall have power to change that part of the state road leading from Mount Vernon to Princeton, which lies between Princeton and the top of the hill west of William Hanks' farm, and such alter-
ation, recorded in the office of the clerk of the said court, which road when so altered and re-
corded, shall thenceforth be considered the state road between the two points aforesaid.*

SEC. 6. *The commissioners above named shall meet on the first Monday in April next, those on the Madison state road, at the house of William R. Hensley in Johnson county, and those on the Lawrenceburgh road, at the house of Benjamin Williams in Shelbyville, at which times and places, they or a majority of them shall respectively proceed, after being duly sworn, to view those re-
spective parts of said roads, and if they ascertain*

*that a better route can be procured without mate-
rially increasing the distance, they shall relocate
and mark anew the said parts of the aforesaid
road, and return a plat thereof to the clerk's office
of their respective counties, and when it satis-
factorily appears that the said new routes are open-
ed in every respect equal to the present situation
of the parts of said roads as now located, at the
expense of the persons who have petitioned the
present General Assembly to this effect, and that
they have also paid the above named road com-
missioners the sum of one dollar each, for every
day necessarily employed in discharging the a-
bove duties, thereupon the county commissioners
of the said counties shall have the said new
routes recorded in their books, and shall preserve*

Changed
between
Princeton
and Hanks'
farm.

Com's when
and where
to meet.

Alterations
how improv-
ed.

the same in repair as county roads, from which time the former parts of said roads, included in said alterations shall be vacated.

CHAPTER XXII.

AN ACT to enable the Commissioners to change a part of the State Road from Mauk's Ferry to Indianapolis and for other purposes.

Approved—January 14, 1824.

SEC. 1. *Be it enacted by the General Assembly of the state of Indiana, That William Baird, George W. Boon and Richard Beem, commissioners appointed to locate and open a road from Mauk's Ferry to Indianapolis, be, and they are hereby authorized and empowered, to change so much of said road, as may be necessary to make it intersect the bridge about to be erected over Muscatituck river, two hundred yards more or less, above where said state road now crosses said river, provided said commissioners shall not change more than one mile of said road.*

SEC. 2. *And the commissioners aforesaid, shall cause that part of the road so changed, to be recorded and opened in the same manner, as other parts of the said state road were recorded and opened, and that part of the road changed under the provisions of this act, shall be considered a part of the said state road, and that part of the state road lying between the points of intersection, shall be from thenceforth vacated, and all expenses that may accrue in opening that part of said road so changed, shall be paid out of any monies appropriated for laying off and opening a state road from Mauk's ferry to Indianapolis that may be under the control of said commissioners.*

Road to be
changed at
the bridge
of Muscati-
tuck.

Expenses.

SEC. 3. *In all cases, where the circuit court of Cir. Court the county may have changed any part of said road before the same was opened, if the undertaker has or will open that part of the road so unchanged, in the same manner, as they were by contract, bound to open that part of the road so vacated; in such case, it shall be the duty of the commissioners on said road, to pay such undertaker the same price, and in the same manner, as they would have done, if that part of the road had not been changed.*

SEC. 4. *That so much of the aforesaid state road, as is situate between John Fleener's and the river Muscatituck, is hereby made subject to the same rules and regulations, that other county roads are, and the county commissioners of County Washington county shall have power to change the same, under the same rules and regulations that other county roads are changed: *Provided*, That if any person or persons on that part of the road aforesaid, have received damage or are to receive damage for injury sustained by the road running through their land, that previous to any alteration, they shall refund the same to the person from whom it was received, or relinquish their claim thereto.*

SEC. 5. *That Jonathan Wright, Conrad Huddle and Robert Baldwin, of Harrison county, be, and they are hereby appointed reviewers; whose duty it shall be, after having qualified agreeably to the foregoing provisions of this act, to proceed to review that part of the state road from Mauk's Ferry to Indianapolis, by the way of Corydon, Salem and Brownstown, which lies between mile posts fourteen and fifteen; and the said reviewers and all other persons concerned, shall regulate their proceedings and in all things be governed by the provisions of the second section of an act, entitled "An act to provide for the alter-*

having
changed
road, com's
may pay un-
changed
dertaker for
opening the
same.

com's may
change road
between
& Muscati-
tuck &c.

Between
mile posts
14 and 15
reviewed.

ing of state roads and for other purposes"—approved, January 9th, 1823.

This act to take effect and be in force, from and after its passage.

CHAPTER XXIII.

AN ACT establishing a state road from Petersburg to Washington.

Approved—January 28, 1824.

Commiss-
ioners.

SEC. 1. *Be it enacted by the General Assembly of the state of Indiana, That Peter Ammermond and William Ballard of the county of Daviess, and Franklin Sawyer of the county of Pike, be, and they are hereby appointed commissioners to view, lay out and mark on the best ground and nearest direction, a permanent state road not exceeding forty feet wide, from the town of Petersburg, in the county of Pike, to Washington in the county of Daviess.*

When and
where to
meet.

Report.

To be re-
corded.

SEC. 3. *That so much as is necessary to complete said road, of any balance that may now remain unexpended of the amount of money appropriated on the road from the Highlands on White river, to Indianapolis, by the act entitled "An act authorizing the laying off certain state roads in this state, and appropriating one hundred thousand dollars of the fund commonly called the three per cent. fund, for opening the said roads," approved, December 31st 1821, be, and the same is hereby appropriated to the road hereby established for the purpose of opening the same: *Provided however,* That the said commissioners hereby appointed, or their successors in office, shall expend the said sum exclusively on that part of said road from White river to Washington, and shall in all other respects be governed by the provisions of the aforesigned act: *Provided however,* That if there should not be remaining unexpended any part of the said sum of money, as appropriated by the afore recited act, then and in that case, the said commissioners shall in all respects not otherwise herein provided for, be governed by the provisions of the act entitled "An act locating certain permanent roads therein named, and for other purposes"—approved, January 22d 1820, and the same powers given to, and the same duties required of the board of County commissioners as provided for in the thir- com's theirty-first section of the said last named act, are duty. hereby given to, and required of the several boards of county commissioners of the said counties of Pike and Daviess; and the same remedy is hereby given to all and every person or persons, who may consider himself, herself or themselves aggrieved by the laying out said road as is given in the thirty-fourth section of the last named act to persons in similar circumstances.*

SEC. 4. *The commissioners hereby appointed shall receive for their services one dollar and fifty Compensation cents per day, and the county surveyor for his tion.*

services two dollars per day, for every day he or they may be necessarily employed in the foregoing service, to be paid out of the county treasuries of the county where such service may be rendered.

CHAPTER XXIV.

AN ACT declaring Blue River a public highway and for other purposes.

Approved—January 20, 1824.

SEC. 1. *Be it enacted by the General Assembly of the state of Indiana, That from and after the first day of March next, Blue river, running through that part of the state commonly called the "New Purchase," from Bailey's mill on said stream, in township fourteen, north of range seventeen east, to the line dividing townships nine and ten north of range five east, be, and the same is declared a public highway.*

SEC. 2. *That all persons who have erected or may hereafter erect any dam across said stream, higher than three feet, shall make in such dam, a good and sufficient slope so that boats of common size may pass without injury.*

SEC. 3. *The owner or owners of said dams, refusing to comply with the foregoing provisions, shall forfeit and pay the sum of one hundred dollars, to be recovered from such owner or owners, by an action of trespass, before any court having jurisdiction thereof.*

SEC. 4. *That Ashbel Stone, Balsin Fox, Calvin Kinsley, James Wray and Joseph Dawson, of the county of Shelby, William Hensley and Adam Mow, of the county of Johnson, be, and they are hereby appointed commissioners to examine the said river, from Bailey's mill, to the mouth of*

Navigable from Bailey's mill to the line dividing towns 9 and 10, in range 5.

Slopes on mill dams.

Forfeiture.

Com's to examine river.

Sugar creek, and to ascertain the probable amount of labour, it will take to make said stream navigable.

SEC. 5. *The above named commissioners or a majority of them, shall meet at the house of Benjamin Williams, in the town of Shelbyville, on the first Monday in June next, and then and there previous to their entering on the duties enjoined on them by this act, shall take an oath faithfully to discharge their duties according to the true intent and meaning of this act.*

SEC. 6. *That the said commissioners shall have power to call out each and every person, who is bound by law to work on public highways, living within three miles of either side of said river, between the points aforesaid, for the term of three days in each year: and the hands so working, shall each receive a credit of one day's work on the public highway in their proper township, for each day they may have been employed in working on said stream.*

SEC. 7. *The said commissioners shall lay out the said river into a suitable number of districts, so that each part of said river may be made equally good, between the points above named. The commissioners shall each receive one dollar per day for their services, whilst they are necessarily employed in examining said stream, payable out of the proper county treasury, by order of the county commissioners.*

SEC. 8. *That the hands so working, shall receive from any one of said commissioners, the same notice, and be subject to the same penalties, that delinquents in working public roads now are.*

This act to take effect and be in force, from and after its passage.

Who to work.

Suitable number of districts.

Com's their compensation.

Notice to hands.

CHAPTER XXV.

An ACT for the relocation of the seat of justice of Greene county.

Approved—December 17, 1823.

Com's. SEC. 1. *Be it enacted by the General Assembly of the state of Indiana, That George W. Dewees of Vigo, John Allen, sen. of Daviess, John Johnson, sen. of Owen, Henry Ruble and Andrew Bury of Knox counties, be, and they are hereby appointed commissioners to relocate the seat of justice of the county of Greene, agreeably to the act entitled "An act for the fixing the seats of justice in all new counties hereafter to be laid off."* The commissioners above named, shall convene at the town of Burlington, in said county, on the second Monday of February next, and shall immediately proceed to discharge the duties assigned to them by the said law. And it is hereby made the duty of the sheriff of the said county of Greene, to notify the said commissioners, by a written notification of their appointment, on or before the first Monday of February next, and he shall receive for said services, such compensation as the county commissioners of said county shall deem just and reasonable, to be allowed by them out of any monies in their county treasury, in the same manner that other claims are allowed.

Courts hol- SEC. 2. *And be it further enacted, That the* den. *circuit and all other courts of the said county of Greene, shall meet and be holden at the town of Burlington aforesaid, until suitable accommodations can be had at the seat of justice, to be established by virtue of this act; at which time, the courts being satisfied thereof, they shall adjourn to meet, and shall continue to hold their sessions at the seat of justice last aforesaid: Provided however, That the said court shall have authority to remove said court from the said town of*

Burlington, to any other place in said county, previous to suitable accommodations being prepared at the county seat, to be established as directed by this act, if the said court should deem it proper.

This act to take effect and be in force from and after its passage.

CHAPTER XXVI.

An ACT for the re-appointment of Hamilton county commissioners.

Approved—December 10, 1823.

WHEREAS, It satisfactorily appears that the commissioners appointed by the Legislature at their last session, to establish the seat of justice in the county of Hamilton, were not enabled to discharge their duty, on account of the act for that purpose not having been published in time for them to receive notice: For remedy whereof,

Be it enacted by the General Assembly of the state of Indiana, That the said commissioners, be, and they are hereby appointed to discharge the duties enjoined on them by the aforesaid act, for which purpose, they are hereby directed to meet at the place named in the said act, on the first Monday in March next, and then and there appointed, proceed to discharge their said duties, as directed by the said act.

SEC. 2. It is hereby made the duty of the sheriff of said county of Hamilton, to notify the commissioners aforesaid, by verbal or written notice; and if the said commissioners should fail to meet at the time required by said act, the said sheriff is hereby directed to appoint some other and further time, at an early period, thereafter, for said

commissioners to meet for the purposes aforesaid, and in such case, the said commissioners are directed to meet at the time so appointed, on receiving notice thereof, and then and there proceed in the discharge of the duties enjoined them as above.

SEC. 3. This act to take effect and be in force, from and after its passage.

CHAPTER XXVII.

An ACT appointing commissioners to locate the seat of justice of Madison county.

Approved—December 20. 1823.

Com's. *Be it enacted by the General Assembly of the state of Indiana, That Lewis Morgan of Shelby county, John Perkins and Charles Veeder of Rush county, Martin Adkins of Decatur county, and John Darrah of Henry county, be, and the same are hereby appointed commissioners agreeably to the act entitled "An act for fixing the seats of justice in all new counties hereafter to be laid off."* The commissioners above named shall meet at the house of William M'Cartney, in the said county of Madison, on the first Monday in May next, and shall immediately proceed to discharge the duties assigned them by law. It is

Meet. *Sh'ff notify.* hereby made the duty of the sheriff of the said county of Madison, to notify the said commissioners either in person or by written notification of their appointment, on or before the second Monday in February next, and the said sheriff shall receive so much as the county commissioners of the said county of Madison shall deem just and reasonable, who are authorized to allow the

same out of any monies in the county treasury, in the same manner other claims are paid.

This act to take effect, and be in force from and after its passage.

CHAPTER XXVIII.

An ACT to alter the north boundary line of Madison county and for other purposes.

Approved—January 26. 1824.

Be it enacted by the General Assembly of the state of Indiana, That from and after the passage of this act, the line dividing townships eighteen and nineteen north, shall form and constitute the north boundary of the county of Madison: and the citizens of that territory north of the aforesaid line, and formerly within the boundary lines of the county aforesaid, shall be entitled to all the rights and privileges, that to the citizens of Madison county do or may properly belong or appertain, in the same manner and in all respects as if this act had not been passed.

CHAPTER XXIX.

An ACT to repeal an act, entitled "An act for the altering of the western boundary line of Wayne county and for other purposes therein named,"—approved, January 11, 1823.

Approved—January 22. 1824.

SEC. 1. *Be it enacted by the General Assembly of the state of Indiana, That all and every*

part of the above act be, and the same is hereby repealed.

Western line disig-
nated.

SEC. 2. That the western boundary line of Wayne county be known and designated as follows, to wit: Beginning at the south west corner of section thirty two, on the line dividing townships fifteen and sixteen in range twelve east of the second principal meridian, thence north on the said line, to the township line dividing townships sixteen and seventeen, thence with said line to where the section line dividing sections thirty one and thirty two, in township seventeen in range twelve, intersects the same, thence north with the last mentioned line to the section line dividing the counties of Wayne and Randolph.

SEC. 3. That all suits, pleas, plaints, actions and proceedings commenced previous to the passage of this act, shall in no wise be affected thereby, but the same shall be prosecuted to final effect in the same manner as if this act had not been passed.

This act shall take effect and be in force, from and after its passage.

CHAPTER XXX.

An ACT, amendatory to an act entitled "An act for the formation of a new county out of the county of Delaware—approved, December 31, 1821."

Approved—January 7, 1824.

Boundaries
of Marion,
how design-
nated.

Be it enacted by the General Assembly of the state of Indiana, That the eastern and western lines of the county of Marion, which now run diagonally across a tier of sections, on account of the lines not intersecting on the correction line,

dividing townships sixteen and seventeen east, in the Brookville district, be, and they are hereby established as follows: The eastern line of said county commencing as before at the north-east corner of section fifteen, in township seventeen of range five, thence south to the correction township line aforesaid, thence west on said line, to the line dividing sections two and three in township sixteen of range five, thence south on said line to the southeast corner of section twenty-two, in township fourteen of said range five: and the western line of said county, commencing at the southwest corner of section twenty-one, in township fourteen of range two, thence north along the section line to the correction township line aforesaid, thence east on said correction line, to the line dividing sections thirty-two and thirty-three, in township seventeen of range two, and thence on said line to the northwest corner of section sixteen in said last named township and range.

This act to be in force from and after its passage.

CHAPTER XXXI.

An ACT attaching part of the counties of Montgomery and Putnam, to the county of Parke.

Approved—January 2, 1824.

SEC. 1. *Be it enacted by the General Assembly of the state of Indiana, That all that part of the counties of Montgomery and Putnam, lying south and west of the following boundary, to wit: Beginning at the corner of townships seventeen & eighteen north of range six & seven west; thence east along the township line, to the corner of sections numbered three and four, in township num-*

bered seventeen north, of range number six west; thence south to the line dividing townships sixteen and seventeen north; thence east with the township line, to the corner of townships sixteen and seventeen north, of ranges five and six west; thence south with the range line, to the corner of townships thirteen and fourteen, and thence west to the present boundary of Parke county, shall hereafter be attached to, and form a part of the county of Parke. *Provided*, That all suits, pleas, plaints, actions and proceedings, which shall have been commenced, instituted and pending within the said counties of Montgomery and Putnam, previous to the taking effect of this act, shall be prosecuted to final issue and effect, in the same manner as if this act had not been passed; and that the state and county tax which may be due, in that part of the said counties of Montgomery and Putnam, hereby attached to the county of Parke, shall be collected and paid in the same manner, and by the same officer as if this act had not been passed.

Revenue due, collected as if this act had not passed.

Commissioners to fix seat of Justice of Parke.

To meet.

How notified.

SEC. 2. Arthur Patterson of Knox county, Joseph Orr of Putnam county, Joseph Latshaw of Sullivan county, Joseph Warner of Daviess county, and Stephen S. Collet of Vigo county, are hereby appointed commissioners, for the purpose of selecting a site for the permanent seat of justice for the said county of Parke, agreeably to the provisions of the act, entitled "An act for the fixing of seats of justice in all new counties hereafter to be laid off." The said commissioners or a majority of them, shall meet at the town of Roseville, in the said county of Parke, on the third Monday of February next, and shall immediately proceed to discharge the duties assigned them by law; and it is hereby made the duty of the sheriff of Parke county, to notify the said commissioners of the said appointment, either in person or by written notice, on or before the first day of February next; for which service he shall

receive such compensation out of the county treasury of said county of Parke, as the county commissioners thereof, may deem just and reasonable. So much of any other law, as comes within the meaning and purview of this act, is hereby repealed.

This act shall take effect from and after its passage.

CHAPTER XXXII.

AN ACT attaching Allen county to the counties of Randolph and Wayne, for the purposes therein named.

Approved—January 2, 1824.

Be it enacted by the General Assembly of the state of Indiana, That the county of Allen be, and the same is hereby attached to Randolph county, for the purpose of electing a representative; and the said county of Allen is hereby attached to the counties of Wayne and Randolph, for the purpose of electing a senator in the state legislature.

This act to take effect and be in force, from and after its passage.

CHAPTER XXXIII.

AN ACT supplemental to an act, entitled "An act incorporating the New-Albany School—approved, January the 8th 1821.

Approved—January 14, 1824.

Be it enacted by the General Assembly of the state of Indiana, That in all cases, where there

now are, or at any time hereafter may be, any debt or debts, due and owing to the President and Managers of the New Albany School, and any such debt or debts cannot be collected in money, it shall and may be lawful for the said President and Managers to receive in payment of any such debt or debts, any lands, tenements, or hereditaments at a fair cash price, which may be conveyed to the said President and Managers, for the use of said school, by deed in fee simple, with general warranty, clear of all incumbrance; and any such lands, tenements and hereditaments, when so conveyed, the said President and Managers shall have full power and authority to grant, sell and convey or dispose of, in any other way or manner whatever, for the use and benefit of the said New-Albany School.

Pres. and
Man. hold
real proper-
ty.

CHAPTER XXXIV.

An ACT to authorize a special meeting of the board of Commissioners for the county of Warrick

Approved—December 5, 1823.

SEC. 1. *Be it enacted by the General Assembly of the state of Indiana, That the board of commissioners for the county of Warrick, be, and they are hereby authorized to meet at the Court-house, in the town of Boonville, on the first Monday in January next, and do and perform all and singular, the business as county commissioners, which they of right should have done, had they have met on the second Monday of November last; and the sheriff and county treasurer, of said county shall be governed in all respects, as they would have been, had the commissioners have met as aforesaid.*

Meet first
Mon. Jan.

SEC. 2. The sheriff or collector of said county, shall give to each of the commissioners aforesaid, five days notice of the time prescribed by this act, for their meeting, and shall also give ten days notice in writing, of the meeting of the commissioners as contemplated by this act, which notice shall be set up in three of the most public places in each township in said county.

SEC. 3. This act shall be in force, from and after its passage.

CHAPTER XXXV.

An ACT for the relief of Sevier Lewis.

Approved—January 14, 1824.

Be it enacted by the General Assembly of the state of Indiana, That Sevier Lewis, collector of the county of Shelby for the year 1822, be paid sixteen dollars and fifty cents, out of any monies in the treasury not otherwise appropriated.

This act to take effect and be in force from and after its passage.

CHAPTER XXXVI.

An ACT for the relief of James Leviston, clerk of Union circuit court.

Approved—December 13, 1823.

WHEREAS it has been represented to this General Assembly, that no suitable room can be had in the town of Liberty, the present seat of justice of said county, for the safe keeping of the

books and papers belonging to the clerk's office of said county; therefore, for remedy thereof, *Be it enacted by the General Assembly of the state of Indiana, That it shall be lawful for James Leviston, clerk of the circuit court of said county, to hold his office and keep his books and papers at Brownsville, the late seat of justice of said county, except in times of holding courts, until a suitable room shall be prepared in the court house at Liberty.*

This act to be in force from and after its passage.

CHAPTER XXXVII.

AN ACT confirming the board of trustees of the town of Evansville and for other purposes.

Approved—January 30, 1824.

WHEREAS, It is represented to this General Assembly, that the citizens of the town of Evansville, failed to re-elect trustees for said town, on the second Monday of March, one thousand eight hundred and twenty one, agreeably to the provisions of the law, in that case made and provided, and whereas it is also represented, that the citizens of said town met together, on the second Monday in March, one thousand eight hundred and twenty two, and proceeded to elect trustees for said town, but doubts having arisen, as to the legality of said election: For remedy whereof,

SEC. 1. Be it enacted by the General Assembly of the state of Indiana, That the said election held for trustees, in the said town of Evansville, on the said second Monday in March, one thousand

Preamble.

eight hundred and twenty two, and all the regular proceedings of the trustees, so elected and of their successors in office, be, and the same are hereby legalized, to all intents and purposes, in Proceeding the same manner, as if no failure to elect trustees for said town, on the second Monday in March one thousand eight hundred and twenty one, had taken place.

SEC. 2. Whenever hereafter, any failure shall take place, by the citizens of any town, in this state, to elect trustees on the day prescribed by law, in any year, the trustees last elected, shall Failure to continue to discharge the duties of trustees of said elect, trustees town, until the next annual time prescribed by law, for electing trustees, or until the citizens of said town shall be notified by public notice, set up in three public places in said town, signed by three citizens, freeholders of said town, setting forth that an election will be holden on a day certain, for the purpose of electing trustees for such town, which day shall be at least ten days after the time of setting up such notices; on which day it shall be lawful for the citizens of such town to meet and elect trustees, in the same manner, they might, ought or could have done, on the day prescribed by law.

CHAPTER XXXVIII.

AN ACT for the relief of the collector of Clark county.

Approved—January 30, 1824.

Be it enacted by the General Assembly of the state of Indiana, That the board of county commissioners of Clark county be, and they are hereby authorized to examine and allow, at their

session in February next, to the collector of Clark county, the amount of delinquencies in said county, in the same manner as though the same had been presented at the proper sessions required by law; and the certificate, made out thereon, shall be received by the auditor of public accounts, and entered to the credit of said collector, in the same manner as other delinquent lists.

This act shall be in force from and after its passage.

CHAPTER XXXIX.

An ACT for the benefit of John Upp and Ezekies alias Ezekiel Smith.

Approved—December 17, 1823.

Be it enacted by the General Assembly of the state of Indiana, That Jesse Gay, administrator of John Sprinkle, deceased, be, and he is hereby authorized to make a deed of conveyance, as administrator aforesaid, to John Upp, of Warrick county, to lot number eighty nine, in the town of Sprinklesburgh in the said county of Warrick, and also a deed of conveyance to Ezekies, alias, Ezekiel Smith, to lot number eighty, in the said town of Sprinklesburgh: and that the deeds of conveyance so made and executed, shall convey all the right, title, interest or claim, either in law or equity, of the said John Sprinkle, his heirs, executors or administrators, of in and to the said lots of ground, to the said John Upp and Ezekies Smith, their heirs or assigns forever, in as full and ample a manner, as the said John Sprinkle might, ought or could have done, in his own proper person, previous to his decease.

Administrator to convey.

CHAPTER XL.

An ACT for the relief of William Jackson.

Approved—December 20, 1823.

WHEREAS it appears to this General Assembly, that William Jackson did under the provisions of a law of this state, entitled "An act to encourage the manufacturing of salt in this state," approved, January 21, 1820, take a lease from Davis Floyd, presiding judge at that time, of the second judicial circuit, of the old Indian Preamble. salt lick in Monroe county, for the term of five years, from the fifteenth day of August, 1820: and whereas it appears that said Jackson is likely to be much injured in consequence of the great expense he has incurred in digging for salt water, and cannot be remunerated until the aforesaid lease will expire: For remedy whereof,

Be it enacted by the General Assembly of the state of Indiana, That the said William Jackson be, and he is hereby authorized and permitted to hold over and occupy the said fuel and water, which he now works, near the aforesaid old Indian salt lick, with the section of land, which he originally leased as aforesaid, for the term of five years from and after the expiration of his first lease, by entering into bond, with sufficient security, payable to the Governor, for the time being, and his successors in office, for the use of the state, conditioned that he, the said Jackson, will at the expiration of the said renewed lease, deliver up the premises to such agent as may be appointed on behalf of the said salt works, (with the exception of his boilers) in good repair: and that he will not cut or use any timber on such leased premises, further than what may be necessary for fuel, and keeping the said works in sufficient repair.

Give bond.

CHAPTER XL.

AN ACT to confirm the sales made by the administrators of Henry Vanderburgh, late of Knox county, deceased.

Approved—December 10, 1823.

WHEREAS, It is represented to the present General Assembly, that George R. C. Sullivan and James B. M'Call, of the county of Knox, the administrators with the will annexed, of the estate of Henry Vanderburgh, deceased, have in said capacity and by virtue of said authority, sold and conveyed several tracts of land of the estate of said deceased: and it appearing to the General Assembly, that the interests of said estate, have been greatly promoted by said sales: and whereas it is also represented, that doubts have arisen as to the legality of said sales: Therefore,

Be it enacted by the General Assembly of the state of Indiana, That all sales made by the said George R. C. Sullivan and James B. M'Call, administrators as aforesaid, and their proceedings relative to said sales, be, and the same are hereby declared legal and valid, to all intents and purposes.

Preamble.

Proceedings legalized.

CHAPTER XLII.

AN ACT for the benefit of the widow and three younger children of the late Henry Vanderburgh, of Knox county, deceased.

Approved—January 14, 1824.

WHEREAS it is represented to this General Assembly, that Henry Vanderburgh, Esquire, late of Knox county, deceased, died testate

leaving nine children—three of whom, Mary, Sidney and Ferdinand, were born subsequent to the date of his will, and were left without Preamble. any provision for their support and education: and whereas, it is also represented that the six elder children of said decedent, taking under the will of said Vanderburgh, are desirous of conveying such part of the estate of said decedent, received by them under said will, to the said three younger children, Mary, Sidney and Ferdinand, as will make their portions of the estate of said deceased, equal to that of the six eldest: Therefore, for remedy whereof,

SEC. 1. Be it enacted by the General Assembly of the state of Indiana, That the guardian or Guardians guardians that have or may be hereafter appointed to the said Mary, Sidney and Ferdinand, shall be authorized to receive conveyances from the six elder children of the said Henry Vanderburgh, deceased, for so much of the real estate of said decedent, as will make the shares of all the children in said decedent's estate equal.

SEC. 2. It shall and may be lawful for James Vanderburgh, one of the heirs of the said Henry Vanderburgh, deceased, who is yet under age, to convey a portion of his father's estate received by his will as aforesaid, to his sisters Mary and Sidney, and to his brother Ferdinand, as is provided by the first section of this act; and to convey to his mother, the widow of the said deceased, a part of the real estate received by him under the will, equal to that conveyed by his elder brothers and sisters, in lieu of her life estate: Provided however, That his elder brothers and sisters, taking under the will, shall have first made a conveyance to the widow as aforesaid: and the conveyances when so made, shall be taken, deemed and held as valid in law as though the said James Vanderburgh were of full age.

CHAPTER XLIII.

AN ACT for the relief of the sheriff of Spencer county.

Approved—January 2, 1824.

WHEREAS, It has been represented to the General Assembly, that Uriah Lamar, sheriff and collector of the county of Spencer, has been prevented by sickness, from collecting in proper season, the taxes of said county for the year 1823: Therefore,

SEC. 1. *Be it enacted by the General Assembly of the state of Indiana,* That the said sheriff and collector have time until the first Monday in March next, to pay into the treasury of state, the taxes due from said county, for the year 1823.

SEC. 2. It shall be the duty of the treasurer, to receive the said taxes, if paid within the time aforesaid, and receipt for the same, without charging any damages for the non-payment into the treasury, at the time prescribed by law.

This act shall take effect from and after its passage.

CHAPTER XLIV.

AN ACT respecting certain public property in the county of Spencer.

Approved—January 14, 1824.

WHEREAS, It is represented to this General Assembly, that the county of Spencer has caused to be erected and finished at Rockport, the seat of justice of said county, an elegant and capacious court-house and jail, and have paid the contractor, undertaker and builder thereof, in

Preamble.

full for building and erecting the same, agreeably to the contract respecting the same: and whereas, since the said buildings have been erected, finished and paid for as aforesaid, the board of county commissioners of said county, without any law or authority for so doing, made an order that the said contractor, undertaker and builder of said buildings, should gratuitously, and as a premium or extra reward, have the sum of twenty five hundred dollars, over and above what was to be paid for said buildings, by the contract respecting the same. And whereas, the said county of Spencer is not at present able to pay the said premium or reward: and whereas, suit has been brought for the same, with an avowed intention of getting judgment and selling said buildings under an execution: Therefore for remedy whereof,

Be it enacted by the General Assembly of the state of Indiana, That the real estate of the county of Spencer, situate in the town of Rockport, the seat of justice for said county, and known and designated, on the map or plat of said town, as a public square, together with all and singular the buildings and the improvements thereon, belonging to the said county of Spencer, or which may hereafter be erected and made thereon, by the county aforesaid, shall be, and the same are hereby exempted from execution, and no judgment whatever, for any debt or demand against the said county, shall operate as a lien, either in law or equity, upon such real estate, belonging to said county, as above described.

This act shall take effect and be in force, from and after its passage.

Pub. proper-
ty exempt
from execu-
tion.

CHAPTER XLV.

AN ACT for the relief of Claudius G. Brown.

Approved—January 26, 1824.

WHEREAS, It is represented to this General Assembly, by the petition of Claudius G. Brown, that in conformity with an agreement entered into with the trustees of the Vincennes University, he has made certain repairs to said University, whereby a certain sum of money has become due to him, and by the operation of a certain law of this state, authorizing the sale of the seminary township in Gibson county, the said trustees have been deprived of paying the same: and whereas by a law of the present session, the Vincennes University has been adopted as the county seminary of Knox county: Therefore,

Be it enacted by the General Assembly of the state of Indiana, That the trustees or other persons, who are or may be entrusted with the control or disbursement of any monies which are or may be appropriated for the use of the county seminary of Knox county, shall be required to pay out of the same, to Claudius G. Brown, such sum of money, as may be determined by an auditor, to be appointed by the board of county commissioners of Knox county, to be just, out of the first monies that may come into their hands, as trustees of said seminary.

Trustees to pay &c.

CHAPTER XLVI.

AN ACT legalizing the board of commissioners of the county of Vigo.

Approved—January 22, 1824.

Be it enacted by the General Assembly of the state of Indiana, That the board of commission-

ers of the county of Vigo, as at present existing, is hereby declared to have been legally constituted, and all the proceedings of said board, since the organization of the county aforesaid, are hereby legalized and made valid.

CHAPTER XLVII.

AN ACT to amend an act, entitled “An act to authorize the administrators of Simpson Charlton, deceased, to re-assign the certificate of certain real estate, for the benefit of the heirs of said deceased,”—approved, January 9, 1823.

Approved—December 13, 1823.

Be it enacted by the General Assembly of the state of Indiana, That the words “range ten,” in the act to which this is an amendment, be taken for and considered as “range nine.”

CHAPTER XLVIII.

AN ACT for the relief of the securities of Samuel Powell, collector of taxes for the county of Jackson.

Approved—January 14, 1824.

WHEREAS, It is represented to this General Assembly, that William Marshall, William Williams, John Elliott, Robert Burge and Francis Elliott, of the county of Jackson, are the securities of Samuel Powell, the collector of the state tax of the said county, for the year one thousand eight hundred and twenty two,

Preamble.

and the said collector has absconded, without accounting for the collection of said tax, leaving due and unpaid to the state, the sum of two hundred and twenty four dollars and ninety nine cents : Therefore,

SEC. 1. Be it enacted by the General Assembly of the state of Indiana, That the following

Time allowed to securities. said securities of the said Samuel Powell, collector of the state tax of the county of Jackson, as aforesaid, for the year one thousand eight hundred and twenty two, to pay to the treasurer of state, the sum of two hundred and twenty four dollars and ninety nine cents, the balance stated to be now due and unpaid to the state for said year : for the payment of the sum of one hundred and twelve dollars and forty nine cents, with interest due thereon, at the time of payment, they shall be allowed the time of nine months : and for the payment of the balance as aforesaid, they shall be allowed the time of eighteen months, from the passage of this act.

Clerk, his duty.

SEC. 2. And be it further enacted. That William Crenshaw, clerk of the circuit court of Jackson county, is hereby authorized to receive from the agent or deputy, of the aforesaid Samuel Powell, the books relative to the collection of the revenue, for the year one thousand eight hundred and twenty two, and also all monies collected by said agent or deputy, for or in the name of said Powell : and if the agent or deputy aforesaid, shall refuse or neglect to deliver the books and monies as before provided, on being required so to do, he shall be liable to pay all damages, that may accrue in consequence of such refusal or neglect, to be recovered at the suit of the securities of the said Powell, in any court of competent jurisdiction ; and it shall be the duty of the said Crenshaw to deliver the books and monies, by him received as aforesaid, to such person, as may be appointed by the securities of the said Pow-

ell : and the securities aforesaid, are hereby authorized and empowered to collect any taxes, that to collect, may be due on said books, in the same manner, as the said Powell could or might have done.

This act to take effect and be in force, from and after its passage.

CHAPTER XLIX.

AN ACT for the relief of Elias Willets, late sheriff of Wayne county.

Approved—January 14 1824.

WHEREAS, It manifestly appears to this Legislative body, that the amount of twenty five dollars and seven cents of state tax, had been charged on the duplicate of 1821, to said sheriff ; and that afterwards the same amount had been remitted by the commissioners of said county, to individuals therein charged with that amount, as improper assessments : Therefore, for remedy whereof,

Be it enacted by the General Assembly of the state of Indiana, That the auditor of state, is hereby authorized to audit the sum of twenty-five dollars to the account of the said Elias Willets, and to cause a credit of that amount, to be given to the said Elias, against the sum charged on the duplicate of 1822.

This act to take effect and be in force, from and after its passage.

CHAPTER L.

AN ACT for the relief of John Spencer, sheriff of Dearborn county.

Approved—January 30, 1824.

WHEREAS, It appears to this General Assembly, that owing to sickness and other casualties, John Spencer, sheriff of Dearborn county, has not been able to make collection and payment of the state revenue due from the said county: For remedy whereof,

Be it enacted by the General Assembly of the state of Indiana, That the auditor of state, allow to the said John Spencer, until the third Monday in March next, to pay over to the treasurer of state, all arrearages of state taxes, due from him as collector of the said county of Dearborn for the year one thousand eight hundred and twenty three; previous to which time, no suit shall be brought against the said John Spencer, for any taxes or arrearages of taxes, due from him to the state as aforesaid.

This act to take effect and be in force from and after its passage.

CHAPTER LI.

AN ACT allowing further compensation to Christopher Harrison, agent of the three per cent. fund.

Approved—January 30, 1824.

Be it enacted by the General Assembly of the state of Indiana, That Christopher Harrison, agent of the three per cent. fund, be allowed two per centum on all monies by him received and

paid out, as agent aforesaid, on which a like percentage has not heretofore been allowed by law; and the said two per cent. shall be in full compensation for his services as agent of the state, to receive from the United States, the three per cent. and for paying out the same, agreeably to the provisions of an act, entitled "An act authorizing the laying off certain state roads in this state, and appropriating one hundred thousand dollars of the fund commonly called the three per cent. fund, for opening the same—approved, December 31, 1821."

This act shall be in force from and after its passage.

CHAPTER LII.

AN ACT for the relief of Samuel Little and Thomas Highfill.

Approved—January 30, 1824.

Be it enacted by the General Assembly of the state of Indiana, That the county commissioners of Harrison county are hereby authorized and required, at their February or some subsequent session, to appoint five disinterested freeholders to ascertain the damage done to the said Little and Highfill, by the road leading from New-Albany to Princeton, through their land, in the same manner as if said Little and Highfill had applied in proper time; and said damage if any there be when ascertained, shall be paid as is provided in the act for opening and repairing public roads and highways—approved, January 29, 1818.

This act to be in force from its passage.

CHAPTER LIII.

An ACT to incorporate the Law Library Society.

Approved—January 26, 1824.

Body politic.

Annual meeting, when.

For what purpose.

SEC. 1. *Be it enacted by the General Assembly of the state of Indiana, That James Scott, Benjamin Parke, Charles Dewey, Henry Hurst and Harbin H. Moore, together with their associates, subscribers to a Law Library, are hereby created and constituted a body politic and corporate, by the name and style of "The Law Library Society;" and by such name are authorized to have and use a common seal, to hold, purchase, receive, transfer and enjoy any property, real and personal, to have perpetual succession, to sue and be sued, plead and be impleaded, defend and be defended in all courts of judicature whatever.*

SEC. 2. *There shall be an annual meeting of the subscribers, members of the Law Library Society, on the first Wednesday of the fall term of the supreme court, at the place where the said court may hold its sessions; at which time and place the said subscribers, members as aforesaid, shall, by a majority of votes, elect as many of their number as may be directed by their constitution, managers of the concerns of the Society, until the next annual meeting, and until the election of their successors. They shall also have power to make, alter and revise their constitution, to change the time of the annual meeting, and to frame such laws and regulations for the government of said society, as they shall deem expedient, not inconsistent with this act, and the laws and constitution of this state.*

SEC. 3. *The said managers elected as aforesaid, shall administer the concerns of the society according to the provisions of this charter, and the laws ordained by the stockholders at their an-*

nual meeting. They may appoint a librarian, Managers appoint librarian, &c. secretary and treasurer, and prescribe the manner in which the books, accounts and other property of the society, shall be kept and managed, and it shall be their duty to make report of the state of the society to the members at every annual meeting.

SEC. 4. *The proceedings of said managers, Record of shall be entered at full length and in a fair hand, proceedings in a book to be kept for that purpose, which shall from time to time be signed by the president or senior manager, and attested by the secretary; and said book shall at all times be open for the inspection of any member of the society.*

SEC. 5. *The shares of the stockholders in the Shares Law Library Society, shall be transferable under transferable such rules and restrictions as the managers may prescribe, and shall on the death of any member, descend or be distributed like other personal property. In case of the failure of a majority of the said members to assemble at the time and place of any annual meeting, the managers shall retain their said offices until the next succeeding annual meeting.*

CHAPTER LIV.

An ACT for the benefit of Henry Kimberlin.

Approved—January 26, 1824.

Be it enacted by the General Assembly of the state of Indiana, That the superintendent of the section number sixteen in town seventeen north, range four east, is hereby authorized and required, on the surrender of the former lease made to the said Henry Kimberlin, to make a new lease to him of the south west quarter of said section,

for the term allowed by the laws of this state; the said term to commence at the date of the former lease.

This act to take effect from its passage.

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CHAPTER LV.

An ACT authorizing a compensation to William Polke, as commissioner.

Approved—January 31, 1824.

Be it enacted by the General Assembly of the state of Indiana, That Christopher Harrison, agent of the three per cent. fund, be, and he is hereby authorized and required to pay unto William Polke, commissioner for surveying the obstructions in the river Wabash, and for expenses attending the same, the sum of one hundred and fourteen dollars, out of any monies in his hands as agent of said fund.

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CHAPTER LVI.

An ACT for the benefit of the estate of John H. Crane, deceased.

Approved—January 31, 1824.

WHEREAS, It is represented to this General Assembly that John H. Crane, late of Louisville, in the state of Kentucky, deceased, was the owner of part of lot numbered nineteen in the Illinois grant, containing two hundred acres or thereabouts, which land, it is necessary should be sold for the payment of the just debts of

said deceased, and that an order for the sale of said land has been obtained from the associate judges of Clark county, to take place in the first week of February; previous to which the necessary notice has not been given by the executor of the said Crane; and whereas, it is highly necessary that the executor should close the sale of the estate of his testator as soon as possible:

Be it enacted by the General Assembly of the state of Indiana, That at any time after the passage of this act, it shall be lawful for Chauncey Whittelsey, executor of the last will and testament, of the said John H. Crane, to sell the land belonging to the estate of his testator, in the county of Clark, pursuant to the order of the associate judges of said county, excepting that said executor shall not be confined to the time fixed by said order, but may at any time, sell the same, on giving twenty days public notice of the time and place of said sale, by advertising the same in the Indiana Intelligencer and Farmers' Friend, printed in the county of Clark aforesaid.

This act to be in force from and after its passage.

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CHAPTER LVII.

An ACT to incorporate the Salem Grammar School.

Approved—January 2, 1824.

WHEREAS, It hath been represented to this General Assembly, that sundry persons of Salem and its vicinity, have associated themselves together, for the purpose of establishing a Grammar School, and have contracted for the pur-

Preamble.

chase of a parcel of ground and erected a house suitable for a public school on the same, and that to secure a title to the said lot or parcel of ground, and for the more perfect organization and management of the said school, it is desirable to obtain an act of incorporation: Therefore,

Trustees.

SEC. 1. *Be it enacted by the General Assembly of the state of Indiana, and it is hereby enacted by the authority of the same, That Marston G. Clark, Benjamin Parke, John Kingsbury, Burr Bradley, Ebenezer Patrick, James Coffin and Beebe Booth, and their successors in office, shall be, and they are hereby created a body corporate and politic, by the name and style of "The board of Trustees for the Salem Grammar School," and by the same name shall be able and capable to sue and be sued, plead and be impleaded, answer and be answered unto, defend and be defended in any court of justice; to make and use a common seal, and the same again to alter at pleasure, and also by the same name and style, shall in law be capable of purchasing, holding, leasing and conveying any estate, real or personal for the use of the said corporation, so that the said corporation shall not at any one time hold or possess more than ten acres of land.*

May hold
real estate.Annual
meetings
first Mon-
day of Feb-
ruary.

SEC. 2. That the subscribers to the said Grammar School, in the town of Salem, in the county of Washington, in this state, are hereby authorized and empowered to assemble themselves, at the house erected for the use of said school, or at such other place in the said town of Salem, as may be most convenient, on the first Monday of February next, and on the first Monday of February annually thereafter, and when so assembled, to elect seven trustees to serve for one year.

By-laws.

SEC. 3. That the trustees, or a majority of them shall have full power from time to time, to make such by-laws, ordinances and regulations, in writing, not inconsistent with this charter, the

laws of this state, or of the United States, as to them shall appear necessary for the good government of the said school, and the students thereof; and the same to put into execution, revoke, alter and make anew, as to them shall appear necessary: and for the purpose of enclosing the ground belonging to the corporation, and planting it with trees, improving, enlarging or putting up other buildings suitable for a public school, and keeping the same in repair, and generally for providing whatever may be considered necessary and proper for such a school; the trustees or a majority of them shall also have power, and they are hereby authorized to levy, assess and collect a tax *May assess of and from the subscribers, from time to time, and collect a tax.*

Provided always, That such by-laws, ordinances and regulations, shall be in force until the next annual or special meeting of the subscribers, and afterwards unless disagreed to at such meeting: to which end all the by-laws, ordinances, and regulations of the trustees shall be laid before the succeeding meeting of the subscribers, for their approbation or rejection, and the board of trustees, whenever they shall think it necessary, and upon the application in writing for that purpose of ten subscribers, shall call special *Board call meetings of the same, to consult and determine special upon such measures, as may be necessary for the welfare and advantage of the said school: Provided also,* *That in either case ten days public notice shall be given of such meeting.*

SEC. 4. That the board of trustees shall appoint such subordinate officers as they may think convenient for the police of the school, and to require such sureties, and to annex such fees to the several officers of the corporation, and to impose such fines for a neglect of duty or misconduct in office as to them shall appear proper. *Board ap- point sub- officers.*

SEC. 5. That the board of trustees may meet when and as often as they shall think proper,

Elect presi- and at their first meeting shall elect a president out of their own body, and in case of his absence at any meeting stated or extraordinary, the board of trustees or the subscribers as the case may be, shall elect a president pro tem.

Vacancies how filled. SEC. 6. That the places of any of the trustees who shall die, resign or remove from the county, shall be supplied for the remainder of the year by appointment made by the board of trustees.

SEC. 7. That should no stated annual meeting of the subscribers be had, the officers then acting shall continue their functions until the next annual meeting.

Shares transferable SEC. 8. The interest or shares in the said school, shall be transferable under such rules and regulations, as may be prescribed by the board of trustees, for that purpose.

Quorum. SEC. 9. At stated annual meetings, no determinate number of subscribers shall be necessary to constitute a quorum, but at special or extraordinary meetings, a majority of the whole shall be required, and of the trustees, a majority shall be sufficient to do business.

This act to be in force and take effect from and after its passage.

CHAPTER LVIII.

AN ACT providing for opening a Canal at the Falls of the Ohio.

Approved—January 31, 1824.

Commissioners appointed. SEC. 1. *Be it enacted by the General Assembly of the state of Indiana, That William Hendricks and Christopher Harrison, be, and they are hereby appointed commissioners, to take measures and provide the means under the authority*

of this act, and subject to the directions of the General Assembly as from time to time may be provided by statute, for commencing and completing a canal around the falls of the Ohio, at Jeffersonville.

SEC. 2. That said commissioners are hereby authorized to employ engineers, surveyors, agents, gineers, and others, make contracts, and do and perform all acts necessary and proper for the furtherance of the enterprise aforesaid.

SEC. 3. That said commissioners are hereby authorized, to borrow money in such sums and to such amount, as may be commensurate to the completion of the work aforesaid, on such terms of credit and rate of interest, not exceeding six per centum per annum, as they shall deem most

advantageous to the state: and that they be authorized to pledge the stock in, and revenue arising from said canal, the amount of monies now in the Treasury belonging to the three per cent. fund, and the three per cent. fund except the balance of one hundred thousand dollars appropriated by the act, entitled "An act authorizing the laying off of certain state roads in this state, and appropriating one hundred thousand dollars of the fund commonly called the three per cent. fund for opening the said roads," approved, December 31st 1821, yet remaining undrawn to any extent which may be deemed advisable, expedient, or necessary for the payment of the interest and principal of such loans.

SEC. 4. That said commissioners be authorized to apply to the Congress of the United States for a loan to be granted to this state, upon the pledges aforesaid, and also to apply to the Legislatures of those states, who are interested in the navigation of the Ohio river above the said falls, for aid in said undertaking at their discretion, and to make such pledges on the part of this state, consistent with the provisions of this act, as they

Pledges.

Apply to
Congress &
to the Le-
gislatures of
other states.

may deem most advisable in order to secure their co-operation.

SEC. 5. That said commissioners are authorized to apply to the Legislature of the state of Ohio, for co-operation in the purposes of this act, without delay, and to request that commissioners on the part of said state be appointed with full powers, to act with the commissioners on the part of this state, and in case such appointment be made, the commissioners of this state are hereby vested with full powers to make such arrangement with the commissioners on the part of the state of Ohio, as shall be just, liberal and requisite to effectuate the objects contemplated by this act; and if any co-operation as aforesaid shall not be effected, the said commissioners are authorized to take such other measures, in their discretion in relation to said canal, as may seem most advisable and expedient.

SEC. 6. That said commissioners apply if they find the same expedient, to the President and Directors of the Jeffersonville Ohio Canal company, for a cession of any right of land of which they may be owners and which may lie in the course of said proposed canal, and also to the proprietors of land, through which said canal may pass, for grants, upon such terms, as may be agreed upon, and if difficulty or opposition arise concerning any such lands, the Circuit court of Clark county, shall direct on the application

Valuation of said commissioners, the valuation of the land the same. by the oaths of three disinterested freeholders, to be made with such ceremonies, as said court shall deem advisable, in order to do justice, and the commissioners shall on such valuation, take possession of such lands, and pay the owners, the value thereof, out of the funds procured under the provisions of this act, and the said lands, so soon as valued as above directed, shall be vested in the state for the use of said canal.

SEC. 7. That said commissioners shall with

Apply to
Jeff. Ohio
Canal co.

To proprie-
tors of land.

Valuation of
the same.

as little delay as possible, after the taking effect of this act, proceed in the execution of their said duties, and upon procuring contracts for loans to an amount probably sufficient and equal to the completion of said canal, shall have the routes thereof surveyed, the expense of each estimated, and make selection of that route which appears best calculated for the interest of the state, and thereupon shall make such arrangements and contracts for the completion of said canal, as shall be deemed most expedient: *Provided*, That the commissioners appointed by this act, shall in no case, employ any surveyors or engineers, until they have obtained a loan, which in their opinion will be sufficient to complete the canal aforesaid.

SEC. 8. That said canal shall be excavated to Dimensions the depth of at least four feet below low water of canal. mark, and of a sufficient breadth to admit the passage of steam boats.

SEC. 9. That said commissioners shall have May em-
ploy con-
victs.

SEC. 10. That said commissioners enquire in-
to the situation of the affairs of the Jeffersonville
Ohio Canal Company, at their discretion, and
that they report the things and acts they shall do
under this act, to the next General Assembly.

SEC. 11. That the Governor transmit with as
little delay as possible, copies of this act to the
Governor and each branch of the Legislature of
the state of Ohio.

This act to take effect and be in force, from
and after its passage.

Money pro-
cured com's
to proceed
with the
work.

Enquire in-
to affairs of
Jeff. Ohio
canal co. &
report to
next session

CHAPTER LIX.

An ACT for improving the navigation of the river Wabash.

Approved—January 31, 1824.

Part of 3 per cent. fund appropriated.

Proviso.

SEC. 1. *Be it enacted by the General Assembly of the state of Indiana, That the amount of the three per cent. fund appropriated by the act entitled "An act authorizing the laying off certain state roads in this state, and appropriating one hundred thousand dollars of the fund commonly called the three per cent. fund, for opening said roads," which is now due and may hereafter be due, to the counties of Knox, Sullivan, Vigo, Vermillion and Parke, be, and the same is hereby appropriated, for the purpose of opening and amending the navigation of that part of the river Wabash, situate between the mouth of said river and Little Rock Ripple inclusive: Provided however, That no part of the three per cent. fund already appropriated to the Evansville road from Evansville to Vincennes, shall be applied to the purpose aforesaid: Provided also, That nothing in this act shall be so construed, as to effect the distribution of the three per cent. fund in any other counties than those particularly named in this act: Provided, That there shall be an apportionment by the commissioners of the road from Evansville to Terre-Hante, of that part of the three per cent. fund, appropriated to said road between those parts of said road north and south of Vincennes, dividing said fund between said parts of the road, according to the probable amount of labour or money which it would take to make both parts good roads: Provided also, That a greater sum than five thousand dollars, shall not be appropriated on that part of said road south of Vincennes.*

SEC. 2. *That the Governor of this state is*

hereby authorized and required, whenever in his opinion, a sufficient sum, for the commencement and prosecution of the work, of the funds hereby appropriated, shall have accumulated and been received, by the agent of the three per cent. fund of this state, to appoint one skilful judicious citizen as a commissioner to lay out the said appropriation, and who, previously to his entering upon the duties assigned him by virtue of this act, shall enter into bond to the state, in double the amount to be received by him, with sufficient security, to be approved by the Governor, conditioned for the faithful discharge of the same, and the said commissioner shall be required to lay out the money hereby appropriated, in the manner, best conducive to the object of this act, and shall cause to be excavated at the ripples and rapids, channels at least two feet and a half deep from the surface of the obstructions, and thirty feet wide.

SEC. 3. *The agent of the three per cent. fund of this state, whenever he shall be notified by the Governor of the appointment of the commissioner aforesaid; and that he has entered into bond as prescribed by this act, shall pay the said commissioner such amount of the fund hereby appropriated, as may be in his hands, and his receipt therefor shall be a sufficient voucher to the said agent, in the settlement of his accounts with the proper authority of this state.*

SEC. 4. *That the said commissioner shall be entitled to receive, as his sole compensation, the sum of two dollars per day, for every day necessarily spent by him in performing his duties as such: he shall not be concerned directly nor indirectly in his private capacity in any contract made by virtue of this act, and shall make under oath, or affirmation, a particular and detailed account of his proceedings in the business, and exhibit a statement thereof to every succeeding Legislature, pending his employment.*

SEC. 5. *That the Governor of this state is*

Gov. ap-
point com-
missioner.

Bond.

Agent of 3
per cent.
fund pay to
com'r.

Compensa-
tion to com.

Report to
Legislature

Gov. corres- hereby authorized and required to correspond with the Governor of the state of Illinois, and re-
pond with the Gov. of request him to recommend to the Legislature of his state, to adopt measures to enable the two states to act jointly in this work of equal interest to them both ; and in case such measures should be adopted, the commissioner on the part of this state is required to act in concert with the com-
missioner on the part of the state of Illinois.

CHAPTER LX.

AN ACT to incorporate the town of Madison, in Jefferson county.

Approved—December 22, 1823.

Trustees
body politic.

SEC. 1. *Be it enacted by the General Assembly of the state of Indiana, That Israel T. Gan-
by, Dawson Blackmore, John Sering, David
M'Clure, Andrew Collins, Brook Bennett, and
Martin Rowser and their successors in office,
duly elected or appointed in manner hereinafter
directed, be and they are hereby created, declar-
ed, and constituted a body corporate and politic,
in law and in fact, to have continuance forever, by
the name and title of Trustees of the town of
Madison, and by such corporate name, style, and
title, shall be forever able and capable in law and
equity, to sue and be sued, plead and be implead-
ed, answer and be answered, defend and be de-
fended in any court or courts, or before any judge
or judges, trustee or trustees whatsoever within
this state, or elsewhere, in all manner of suits,
actions, plaints, pleas, causes, matters, and de-
mands of whatsoever kind or nature they may be,
in as full and effectual a manner, as any other
person or persons, bodies corporate or politic may
or can do.*

SEC. 2. The trustees elected or appointed by the authority of this act, shall elect one of their own body, whose duty it shall be to preside in President. all their deliberations, and sign all by-laws that shall be enacted by said trustees: *Provided how-
ever.* That in the absence of the president, a pre-
sident pro tempore shall be elected, who shall perform the duties of the president for the time being.

SEC. 3. On the first Monday in April one Elections thousand eight hundred and twenty-five, and on when held. the first Monday in April in each and every year thereafter, there shall be an election held at the court-house in the town of Madison, or at some other convenient place in said town, for the pur-
pose of electing seven trustees. who shall hold their office one year, and until others shall be du-
ly elected and qualified; a majority of whom shall form a quorum, and after having taken an oath, Quorum. faithfully and impartially to discharge their du-
ties as trustees of the town of Madison, shall have full power and authority to transact any and all kinds of business that may be authorized by this act.

SEC. 4. It shall be the duty of the sheriff of Jefferson county, (or in his absence the coroner) to advertise in at least three of the most public Sheriff ad-
places within the bounds of the corporation of vertise e-
said town, or in some public newspaper printed lections. in said town, at least ten days previous thereto,
the time and place of holding such elections, and to superintend the same.

SEC. 5. The president of the board of trustees for the town of Madison, shall be inspector of all Inspector. incorporation elections for said town; he shall take to his assistance two other qualified electors, who, together with himself, shall be judges of said election or elections, and after having ap-
pointed a clerk and taken an oath or affirmation, faithfully to discharge their duty as judges and clerk of said election, shall proceed to receive

What hours votes for trustees, between the hours of ten o'clock receive votes.

A. M. and four o'clock P. M. on said day of election: *Provided however,* That if the President of the board of trustees should not attend at said election, the qualified electors shall, in that case, proceed to elect some fit person to act as inspector, who, when elected, shall have the same power and perform the same duties during said election, as the president of the board of trustees might have, or could do.

Judges cert. said election, to certify under their hands and tify election seals, the number of votes each candidate for trustee received, which certificate shall be filed and put upon the records of said corporation, a copy of which, shall be delivered by the clerk of said board of trustees, certified under his hand and seal, to the seven persons who shall have received the highest number of votes; which certificate shall be sufficient authority for the person so elected, to take his seat as trustee of the corporation of the town of Madison.

Who vote. SEC. 7. All free white male inhabitants of the age of twenty-one years and upwards, who shall have resided within the bounds of the corporation of said town, one year next preceding said election, shall be allowed to vote at the annual election for trustees of the corporation of Madison.

Who eligible. SEC. 8. No person shall be eligible to the office of trustee, who shall not be a qualified elector and householder or freeholder.

Vacancies. SEC. 9. Vacancies occasioned by removal, death, resignation or otherwise, between two annual elections shall be filled by the remaining trustees.

Trustees meet & appoint officers. SEC. 10. The trustees of the town of Madison shall meet upon their own adjournments, and when met shall have power to appoint all officers necessary to carry into effect the provisions of this act, together with all by-laws made by said

trustees in pursuance of the provisions of this act.

They shall have power to make such allowance Compensation to their officers for services rendered, as they may deem equitable and right.

SEC. 11. They shall have power to pass any by-law or laws for the regulation of said town, Make by- not inconsistent with the constitution and laws of this state or of the United States; and also to levy and collect a tax to be assessed upon real and personal property within the bounds of said corporation: to levy and collect a poll tax upon every qualified elector, as specified in this act, not to exceed fifty cents upon each poll: to levy and collect a tax upon all shews and other amusements, which, in the opinion of said trustees, are demoralizing to society, or otherwise to detract from the good order and benefit of the citizens of the town of Madison, and to remove all nuisances within the corporation: *Provided however,* That in no case shall the trustees be authorized to collect more than one half per cent. upon the value of real estate: *Provided also,* That improvements made in said town shall not be taxed.

SEC. 12. The corporation of the town of Madison shall extend to the limits of the town plat, which now is, or hereafter may be recorded in the recorder's office of Jefferson county, and to the edge of the Ohio river at low water mark: *Provided however,* That the trustees may, if they think proper, extend the incorporation any distance not to exceed one half mile from the town plat that now is or hereafter may be of record.

SEC. 13. The trustees as named in this act, or a majority of them shall meet at the court-house in Madison, on the first Monday in April next, or so soon thereafter as a majority of them may think proper to appoint, and then and there take an oath or affirmation, faithfully, diligently and impartially to discharge the duties enjoined on

Limits of corporation.

May be ex- tended.

When to meet.

Take oath.

them by this act, and shall continue in office until others are duly elected and qualified.

This act shall be in force from and after the first day of April next.

CHAPTER LXI.

AN ACT supplemental to an act, entitled "An act to incorporate the town of Madison."

Approved—January 14, 1824.

Power re-
stricted.

May build
market-
house.

SEC. 1. *Be it enacted by the General Assembly of the state of Indiana, That the power of the trustees of the said corporation for taxing property, shall not extend outside of the recorded plat of said town, neither shall individual rights of any kind whatever, outside of said town plat, be infringed by the power of the corporation, any law to the contrary notwithstanding.*

SEC. 2. *The citizens in the first and second addition of Madison, shall have the privilege of building themselves a market house on Broadway, provided they do it by subscription.*

CHAPTER LXII.

AN ACT giving further powers to the agent for the state at Indianapolis.

Approved—January 31 1824.

SEC. 1. *Be it enacted by the General Assembly of the state of Indiana, That the agent for the state at Indianapolis, be, and he is hereby author-*

ized to lease to the highest bidders, the improved Agent to lands on the donation surrounding Indianapolis, lease im- proved lands on do- taking bond, with appoved security of the lessee, nation for 3 in a sufficient sum payable to the said agent and years. his successors in office, with suitable conditions therein for the proper preservation of timber, care of the improvement, and peaceable surrender of the premises.

SEC. 2. *That the agent is hereby authorized to To lay out lay out on the north and south side of the town 20 out-lots, plat, twenty out lots of the same size as the squares in said town plat, so as not to intercept or obstruct any street running through said town plat, and offer the same for sale to the highest bidder on the fourth Monday in January one When to be thousand eight hundred and twenty-five, under sold. the provisions of an act, approved, January the 6th 1821, laying off a town on the site selected for the permanent seat of government.*

SEC. 3. *The agent aforesaid shall advertise Shall adver- the same at least three months in the newspapers tise. published at Indianapolis, and the several news- papers printed at Salem, Corydon and Madison.*

This act to take effect and be in force from and after its passage.

CHAPTER LXIII.

AN ACT to authorize a loan for the use of the state.

Approved—December 17, 1823.

SEC. 1. *Be it enacted by the General Assembly of the state of Indiana, That the treasurer of Treasurer state is hereby authorized to borrow, on the cre- to borrow dit of the state, a sum not exceeding nineteen money.*

thousand dollars, at an interest not exceeding six per cent. per annum, payable yearly at the treasury on the second Monday of December, and the principal to be redeemable at the same place, and at such times, as may be agreed on, not less than one nor more than six years from the time of making the loan: Provided that in making the contract, the state shall not be bound to redeem more than five thousand dollars of the principal in any one year.

SEC. 2. The said loan shall be in gold, silver, bank paper passing at par, or in adjusted claims on the state.

SEC. 3. The treasurer of state is hereby authorized to sign certificates, attested by the auditor of public accounts, for the sum borrowed of any individual or corporation by virtue of this act, bearing an interest and redeemable as aforesaid: Provided that no certificate as aforesaid shall be given for any less sum than one hundred dollars.

Transferable. SEC. 4. Such certificate shall be transferable by endorsement, acknowledged before some judge or justice of the peace, the same being annexed to the certificate.

Auditor enter certificates. SEC. 5. The auditor of public accounts is hereby directed to enter in a book, kept for that purpose, all certificates granted as aforesaid, and transfers of the same, that may be returned to his office, and the treasurer of state shall in like manner, make an entry of all loans and the payment of interest thereon according to law.

Revenue pledged. SEC. 6. So much of the revenue of this state, as shall equal the sums loaned, and the interest, is hereby pledged and appropriated for the payment of the principal and interest of the said loan, according to contract, and the faith of the state is hereby pledged to make up any deficiency, that may hereafter take place in the funds hereby appropriated for paying the said interest and principal or either of them, in manner aforesaid.

SEC. 7. The sums that have been and may be Seminary paid into the treasury, by the commissioners of funds. the seminary township in Gibson county, shall be entered and made use of as part of said loan, that the interest thereon may accrue for the purposes for which they were intended.

SEC. 8. The said sums that may be loaned as Subject to aforesaid, shall be employed in such manner as appropriation the Legislature shall direct, to meet the current expenditures of the year.

CHAPTER LXIV.

An ACT making specific appropriations for the year eighteen hundred and twenty four.

Approved—January 31, 1824.

SEC. 1. *Be it enacted by the General Assembly of the state of Indiana* That the principal and assistant secretaries of the Senate, the principal and assistant clerks of the House of Representatives, the enrolling secretary of the Senate and the enrolling clerk of the House of Representatives and his assistants, shall severally be allowed the sum of three dollars and fifty cents per day, for each and every day they have served as such during the present session.

The sergeant-at-arms of the Senate, the door-keeper of the Senate and the door-keeper of the House of Representatives, shall severally be allowed the sum of two dollars per day, for each and every day they have served as such during the present session.

To Thomas Highfill the sum of seventy-five cents per day, for furnishing fuel for both Houses of the General Assembly during the present session.

To John Aydelott the sum of one hundred and ninety dollars and thirty two and a half cents, for furnishing the present General Assembly with stationary.

To Robert A. New the sum of one hundred and fifty dollars, for his services in copying the revised bills, and for extra services in making contracts for distributing the laws and journals of the last General Assembly, and for preparing for distribution, packing up and transmitting copies of the laws to the several states in the Union.

To Samuel Merrill, treasurer of state, for expenses and horse hire for ten days, in going to and returning from Harmonie, on the business of the state during the present session, the sum of twenty-two dollars and fifty cents.

To James S. Ewing for ten days services and expenses in going to and returning from Harmonie, on the business of the state, the sum of twenty-three dollars and fifty cents.

To Isaac Blackford, for his services as accountant and book-keeper, to the committee of ways and means, at the present session, the sum of one hundred dollars.

To A. P. Spencer, any sum not exceeding fifty dollars, at the discretion of the managers of the state prison, for building a brick privy in said building.

To William Jackson, the sum of fifteen dollars, for his services as former superintendant of the reserved township in Monroe county.

To James Overall, for setting up stoves and cleaning the state-house, the sum of three dollars.

To Ira Westover, keeper of the state prison at Jeffersonville, for his services as such, from the first day of March to the last day of December one thousand eight hundred and twenty-three inclusive, the sum of three hundred and six dollars.

To A. P. Spencer, for money paid to the assistant keeper of the state prison, the sum of thirty dollars.

To William Stephenson, for medicine and medical attendance at the state prison, the sum of seven dollars and seventy-five cents.

To Ebenezer Patrick, for bounty and charges in the recaption of two fugitive convicts from the state prison, the sum of thirty dollars.

To George White, former agent of the state prison, for the amount of expenditures over and above receipts whilst acting as such, the sum of fifty dollars and fifty-seven cents.

To Joseph Paddacks, for his services as sheriff, attending the two last terms of the supreme court, and for sundry articles furnished said court, the sum of ninety dollars eighty-seven and a half cents.

To Thomas D. Wilson, for one ream of paper furnished the secretary of state, whilst copying the revised bills, four dollars and fifty cents.

To William Hurst, for making a table for the use of the clerks of the House of Representatives, the sum of eight dollars and fifty cents.

To William H. Lilly, auditor of public accounts, for office rent for the past year, and for stationary furnished by him for the use of said office during that time, the sum of thirty-eight dollars.

To Samuel Merrill, treasurer of state, for office rent for the past year, thirty-two dollars.

The sum of two hundred dollars to be appropriated to the purpose of paying house rent, repairs to house, and stable rent, for the use of his Excellency, the Governor, to be paid on his order.

That the auditor of public accounts enter to the credit of John Turner, former sheriff and collector of Wayne county, the amount of an audited warrant, for the sum of one hundred and twelve dollars, with interest thereon, from the 6th day of January 1818, and allow the amount of the same, in settlement with the securities of said Turner.

To James Milroy, late agent of the state at

Indianapolis, as a balance due him on the settlement of his accounts, five dollars and fifty cents.

To Hezekiah Lucket, for two benches furnished the Senate, four dollars.

To John Aydelott, for stationary furnished since his general allowance, the sum of two dollars eighty seven and one half cents.

SEC. 2. The following sums be, and the same are hereby allowed, out of any monies in the treasury not otherwise appropriated, to the following named persons, to wit: To John Francis Seibenthal, the sum of fifteen dollars and forty one cents; Daniel Zeigler, the sum of twenty-one dollars and fifty cents; Peter Barbee, sixteen dollars and sixty-three cents; Armstrong Brandon, five dollars and thirty-four cents; Henry Fulton, twelve dollars and forty cents; Israel R. Whitehead, one dollar and fifty cents; Adlai Campbell, thirty dollars and ninety-eight cents; William Youse, fifteen dollars; Jacob Stucker, four dollars and seventy-five cents; James Kinman for the use of John Butler, ten dollars; and to John Decker, four dollars and thirty-seven and a half cents, as per allowances made by the committee of claims & accounts at the present session.

SEC. 3. It shall and is hereby made the duty of the several boards of county commissioners, together with the clerks and county treasurers of their several counties, to go into the several clerks offices, and note in a book to be by them prepared for that purpose, the amount and description, by number, date and amount, and to whom payable, of all county orders taken up, by the treasurers of their respective counties, and which have been filed in the clerks' offices respectively, and burn the same, and shall in like manner at all times afterwards, at any future settlement, enter and burn all other orders, at the time of settling the same.

SEC. 4. The members of the General Assembly, or any other person having claims on the

treasury of the state, shall be at liberty to receive for their several claims, so far as the same cannot be discharged in specie or its equivalent, treasury notes or audited warrants, giving the said treasurer their receipts therefor, specifying therein in what manner received; and the treasurer of state is hereby authorized to re-issue treasury notes to the amount that may be necessary, not exceeding four thousand dollars, under the provisions of this section, agreeably to the provisions of an act entitled "An act authorizing the re-issuing of treasury notes, approved, January 11th 1823".

CHAPTER LXV.

AN ACT making general appropriations for the year one thousand eight hundred and twenty-four.

Approved—January 31, 1824.

Be it enacted by the General Assembly of the state of Indiana, That the following sums be, and the same are hereby appropriated for the following purposes: For defraying the expenses of Appropriation the present General Assembly, including pay to the members thereof, secretaries, clerks, door-keepers, stationary, ink, ink-stands, fuel, printing, binding and distributing the laws and journals, making marginal notes and index to the same, together with all the just and necessary expenses which are or may be incurred, the sum of fifteen thousand six hundred dollars; For the Executive department, the sum of two thousand two hundred dollars; For the judiciary department, the sum of five thousand six hundred dollars; For the expenses of the penitentiary, in Penitentiary. including the transportation of convicts, the sum of ry.

Att'y Gen. one thousand dollars; For pay to the attorney general, the sum of two hundred dollars; For expenses of militia, the sum of one hundred dollars; For the agent at Indianapolis, the sum of three hundred dollars; For interest on the public debt, the sum of one thousand one hundred dollars; For defraying the contingent expenses of the Government, for the year one thousand eight hundred and twenty-four, the sum of one thousand dollars.

Militia. Agent at In- dianapolis. Contingent. This act shall be in force from and after its passage.

CHAPTER LXVI.

AN ACT for the relief of certain lessees of re- served lands.

Approved—January 22, 1824.

WHEREAS, It is represented that some of the state roads have been located, to the injury of many of the lessees, of seminary and other reserved lands: For remedy whereof,

SEC. 1. *Be it enacted by the General Assembly of the state of Indiana, That the sheriff of any county, in which any seminary or other reserved land is situated, through which any state road may have been cut, shall upon the application of any lessee of such reserved land, appoint three disinterested freeholders as commissioners, to examine the injury complained of, who, after taking an oath or affirmation, for the impartial discharge of their duties, shall assess the damages sustained by the party complaining, Provided, that such assessment shall in no case, exceed the value of the premises, for the time the lease had to run, when the injury accrued.*

Sheriff ap- point com's.

SEC. 2. The commissioners under this act, shall certify the amount of such assessment, to any superintendent of reserved lands, in the county where such damages accrue, according to the injury, who, upon the receipt of such certificate, shall pay to the lessee injured, out of any monies in his hands received by virtue of his said office, the amount of damages assessed in his behalf, and to each of the commissioners, the sum of one dollar, as compensation for their services.

This act to be in force from and after its publication.

CHAPTER LXVII.

AN ACT authorizing the county commissioners of Switzerland county, to hold a special session for the purposes therein named.

Approved—January 14, 1824.

WHEREAS, It has been represented to this present General Assembly, that the county commissioners of the county of Switzerland, on the trial of a contested election, for a clerk of the circuit court of said county, (which election was held on the first Monday in August last) entertained doubts of the legality of forming themselves into a board, to try the validity of the election aforesaid, according to an act, entitled "An act to regulate general elections,"—approved, January 17, 1818, on account of there being no sheriff or other officer, within the county, to perform the duties required by the provisions of said act, at the time when said election ought to have been contested: Therefore, for remedy whereof,

Be it enacted by the General Assembly of the state of Indiana, That the county commissioners of the county of Switzerland, be, and they are hereby authorized and required, on application, according to the provisions of the aforesigned act, to form themselves into a board of county commissioners, and proceed in every respect, according to the provisions of the act aforesigned, to try the validity of said election in the same manner, as though the same had been done, within the time prescribed by the twenty-second section of the aforesigned act; and the decision of the said commissioners shall have the same force and effect, as if the same had been made within the time limited by the act aforesigned; Provided however, that the same be done before the first day of July, one thousand eight hundred and twenty-four.

This act to take effect and be in force, from and after the passage thereof.

CHAPTER LXVIII.

AN ACT authorizing the county commissioners of Switzerland county, to lay a special tax therein named.

Approved—January 22, 1824.

Be it enacted by the General Assembly of the state of Indiana, That the board of county commissioners, within and for the said county of Switzerland, be, and they are hereby authorized and empowered, if they shall deem it expedient, to lay, annually, a tax for county purposes, on the animal commonly called the dog, not exceeding the following rates, to wit: On every dog over the age of six months, the sum of fifty cents;

Tax on dogs

and every bitch or slut, over the age of six months, the sum of one dollar: which tax, if so laid, shall be laid, at the term of such board, when they may or shall appoint listers, and the listers shall take lists thereof, in the same way and manner, that they may take lists of other taxable property, and when so listed, shall be collected and paid over to the county treasurer, as other taxes are collected and paid over.

This act shall take effect and be in force, from and after its passage.

CHAPTER LXIX.

AN ACT for the benefit of Benjamin Vancleave and the heirs of Hugh Holmes, deceased.

Approved—January 2, 1824.

WHEREAS, It is represented to this General Assembly, that in the years one thousand eight hundred and seventeen and one thousand eight hundred and eighteen, Benjamin Vancleave and Hugh Holmes, of the county of Orange, by virtue of the authority of the circuit court of said county, erected a Grist and Saw Mill, and a dam attached thereto, on the waters of Stampers creek in said county, on the north east quarter of section six in town one north of range two east, the expense of which incurred by them, amounted to the sum of about two thousand dollars; and that in consequence of the sickness which was supposed to be and probably was occasioned by the stagnant water in the pond, created by said dam, in the summer of one thousand eight hundred and twenty-two, the said dam was abated as a nuisance, and the said Mills rendered wholly

Preamble.

useless to the community and of no value to the proprietors: *And whereas also*, it is represented by a great many citizens living in the immediate neighbourhood of the said premises that they are and have been put to great inconvenience, difficulty and expense, in getting their grinding and sawing done, owing to the circumstance of said mills not being in operation; and that if the said dam could be again erected as before, and the water let out and kept out of said pond, from the beginning of the summer season, until the first of autumn, the said dam would not be productive of sickness; and that upon such condition, the said citizens are desirous that permission should be given to the said Vancleave and the heirs of the said Hugh Holmes, to rebuild said mill and dam: Therefore,

SEC. 1. *Be it enacted by the General Assembly of the state of Indiana, That the said Benjamin Vancleave and the heirs of the said Hugh Holmes, be, and they are hereby authorized to build a dam on the waters of Stamper's creek, in the said county, on the north east quarter of section six, in town one north of range two east, of corresponding dimensions to the dam erected on the above named premises, in the years one thousand eight hundred and seventeen, and one thousand eight hundred and eighteen by the said Benjamin Vancleave and Hugh Holmes, deceased.*

SEC. 2. *That previous to the erection of the said dam, the said Benjamin Vancleave and the guardian of the heirs of the said Hugh Holmes, deceased, shall enter into bond with such security, and under such penalty as the associate judges of said county of Orange shall approve and adjudge, payable to the said associate judges and their successors in office, conditioned that the water shall be let out of the pond created by said*

Water kept dam, and kept out of the same from the first day of June until the first day of November annually;

Authorized to build mill dam on Stamper's creek.

Shall give bond.

and the said bond when taken as aforesaid, shall be delivered by the said judges, to the clerk of the circuit court of said county, who shall file the same in his office for the benefit of each and every person who may sustain injury by reason of the non-performance of either of the conditions of said bond.

CHAPTER LXX.

AN ACT for the relief of Julius Johnson, sheriff and collector of Martin county.

Approved—December 20, 1823.

Be it enacted by the General Assembly of the state of Indiana, That The commissioners of Martin county, be, and they are hereby authorized at their February session, 1824, to settle with said Julius Johnson, sheriff and collector of said county, and make such allowance to said collector for insolvencies and delinquencies in taxes, as to them may seem proper and just, in the same manner, as though it had been at their November session 1823.

CHAPTER LXXI.

AN ACT for the benefit of the infant heirs of the late Jesse Roberts, deceased.

Approved—January 20, 1824.

Be it enacted by the General Assembly of the state of Indiana, That Lucy Roberts, guardian

to the infant heirs of the late Jesse Roberts, deceased, be, and she is hereby authorized and required to appropriate all monies now in her hands and due to said infant heirs, when the same shall be collected, or so soon thereafter, as may be advisable, in the purchase of real estate, at one dollar and twenty-five cents per acre, for the sole use, and in the name of the infant heirs of the said Jesse Roberts, deceased, in such manner, as shall best promote the interest of said heirs: *Provided however,* That said guardian shall reserve a sufficiency out of said monies, for the support and education of the said infant heirs.

This act to take effect and be in force, from and after its passage.

CHAPTER LXXII.

An ACT for the relief of certain officers therein named.

Approved—January 26, 1824.

Sheriff Jeff. SEC. 1. *Be it enacted by the General Assembly of the state of Indiana,* That the sheriffs or collectors of Jefferson and Wayne counties shall have time until the first Monday in March next & Wayne, to pay into the treasury of state, the taxes due further time from said counties, for the year 1823, and it shall be the duty of the treasurer of state to receive the same if paid within the time aforesaid, and receipt therefor, without charging any damages for the non-payment thereof, at the time prescribed by law.

SEC. 2. *And be it further enacted,* That the commissioners of the county of Lawrence be, and they are hereby authorized, at their next Febru-

ary term, to make such allowance to Moses Fell, Sheff of Lawrence, allowance, &c. sheriff and collector of said county, for the delinquencies in the taxes of the years 1822 and 1823 as to them shall appear just and reasonable, in the same manner as if the lists thereof had been presented at the November term of said years; and the auditor of public accounts is hereby authorized to give the said collector such credit on his account for either of said years, as may be allowed by said commissioners for the state revenue.

This act to be in force from and after its passage.

CHAPTER LXXIII.

An ACT for the relief of James Vawter, late Sheriff of Jefferson county.

Approved—January 20, 1824.

SEC. 1. *Be it enacted by the General Assembly of the state of Indiana,* That James Vawter, late sheriff of Jefferson county, be and he is hereby authorized to proceed to the collection of all arrearages of taxes due and owing to him, as Collect arrearages of taxes. sheriff aforesaid, and he shall have the same powers, within the bounds, that formed Jefferson county, at the time he was sheriff thereof, to enforce such collections, and shall be subject to the same penalties, that sheriffs now have or are subject to, by the laws now in force.

SEC. 2. It shall be the duty of said Vawter, to call personally, by himself or deputy, upon all such persons, as shall be in arrears of taxes, and make a demand thereof, and present to such person, a duplicate copy of the lister's book, containing such taxes, and if, thereupon, such delinquent

Demand &

person will produce a receipt for the same, or make an affidavit, that he or she has paid such taxes, then and in that case, said Vawter shall not be authorized to collect such taxes of such delinquent.

CHAPTER LXXIV.

An ACT concerning the seminary lands in Gibson and Monroe counties.

Approved—January 31, 1824.

Agent rent
improved
lands in
Monroe co.

To be kept
in good re-
pair.

SEC. 1. *Be it enacted by the General Assembly of the state of Indiana, That John W. Lee, agent of the Township of land reserved by Congress for a State Seminary, in Monroe county, be, and he is hereby authorized to rent all the improved land in the township aforesaid, for the best price it will bring in corn or other grain:—each lot of such improved land, shall be set up at public vendue, on the first Monday of March in every year, and the highest bidder shall be the purchaser, and shall give bond, with approved security, for the delivery of the grain, so contracted to be paid, for the use of the premises as aforesaid, for the term of one year, binding himself to keep such improvements in good repair, and prevent unnecessary waste being committed on such lands, under any penalty, that the trustees of the State Seminary of Indiana, upon examination, may deem reasonable, and such damages, when so assessed, shall be sued for and collected by said agent, in his name as such, and such damages, when so collected, together with all rents, issues and profits, in any way arising from said seminary land, shall be paid to the trustees of said State Seminary or their treasurer, taking a receipt for the same.*

SEC. 2. *That the trustees of the State Seminary aforesaid, are hereby authorized to receive all the profits arising in any way from the lands of the township aforesaid, and to apply the same to the support of a school in the State Seminary of School in Monroe county, to the best advantage, first allowing the agent aforesaid, a reasonable compensation for his services, and said trustees shall make an annual report to the General Assembly, of all their proceedings, directing the same to the Speaker of the House of Representatives, during the first week of the session.*

SEC. 3. *That James Smith, be, and he is hereby appointed a superintendant for the seminary township of Gibson county, and he is hereby vested with full power and authority to rent for a term not more than two years at a time, all improved lands in said township, which are now under the control of the state, as well as to collect all arrears for rent, that may be due said state, and it shall be the duty of said superintendant, to send a certified statement of his proceedings therein, to the Speaker of the House of Representatives, in each and every year, and it shall be the duty of said superintendant to see that no waste is committed on said land, for which purpose he is hereby authorized to prosecute and punish any person trespassing thereon; and said superintendant shall be allowed such compensation for his services, as the General Assembly from time to time shall direct, to be paid out of the State Treasury.*

SEC. 4. *That all the issues, rents and profits arising from the improved lands aforesaid, shall be paid over to the state treasurer, by the superintendant, taking his receipt therefor.*

This act to take effect and be in force from and after its passage.

Agent rent
improved
lands Gib-
son county.

Prevent
waste.

CHAPTER LXXV.

AN ACT to prevent waste on lands reserved for the use of Salt Springs, and for other purposes.

Approved—January 30, 1824.

SEC. 1. *Be it enacted by the General Assembly of the state of Indiana, That Adlai Campbell, of the county of Orange, be, and he is hereby appointed superintendent for the thirty six sections of land, situate in range two west, in town one and two north, generally known by the name of the French Lick Reserve, in Orange county, and in case of vacancy in the office of said superintendent, by death, resignation or otherwise, the Governor is hereby authorized to supply such vacancy, by appointing some fit person superintendent, residing as near as may be, to the lands which he is to superintend. The said superintendent in this section mentioned, shall hold his office three years, if he shall so long continue to discharge his duty and until the Governor shall appoint his successor: and shall take good care of the lands he may have in charge, and grant leases thereon, or on any part thereof, by quarter sections, for any term of time not exceeding seven years, and that all the leases heretofore taken, shall be extended to seven years from the time of taking such leases, taking bond and security, in his own name as superintendent for the performance of the contract and preservation of the timber: and the said lessees of any lands mentioned in this section of this act, shall, in case of waste or destruction of timber, be subject to the same penalties, as hereafter mentioned.*

SEC. 2. *If any person or persons shall bark bore or cut, or otherwise injure any tree or sapling, not warranted by contract, on any of the*

Superintendent of French lick reserve.

Hold his office 3 years. Governor appoint successor.

Leases by qr. sec's for 7 years.

land aforesaid, he or they so offending, shall pay the sum of three dollars for every tree, and one dollar for every sapling so cut, barked, bored, or injured, to be recovered before any justice of the peace, in the name of the superintendent, and the informer shall be admitted as a competent witness at the trial: penalties, arising from the breach of any of the provisions of this act, shall go for the use of the state, and be paid into the state treasury, by the person collecting the same.

SEC. 3. *The superintendent named in this act, shall rent out all improved lands under his care, as the leases may run out, any term of time not exceeding three years, for money or improvements on such lands, as he may think most advantageous to the state, and shall pay the proceeds arising from the lands herein named, in December annually. And the superintendent above named, shall receive twenty five dollars annually, as a compensation for his services, to be audited by the auditor, and paid out of any monies in the treasury, which have been received from said township. *Provided however,* That nothing in this act shall be so construed, as to effect any appointment heretofore made.*

This act to take effect and be force, from and after its passage.

Superintendent rent improved lands.

His compensation.

by the auditor.

CHAPTER LXXVI.

AN ACT establishing a County Seminary in the county of Knox.

Approved—January 2, 1824.

WHEREAS, It is represented to this General Assembly, that the Vincennes University, incorporated in the year one thousand eight hundred

Preamble.

and seven, did, by the act of incorporation, sell a certain quantity of land, appropriated by Congress, for the use and support of a public school, in the district of Vincennes, with the proceeds of which sale a building was erected at Vincennes for the use of said University, and which said building is rapidly decaying, for want of funds to repair the same: Therefore,

SEC. 1. Be it enacted by the General Assembly of the state of Indiana, That said University county sem. be, and it is hereby adopted as the county Seminary of Knox county, under the direction and control of the board of trustees of said University.

SEC. 2. Be it further enacted, That all monies now due or owing from the trustee of the public seminary of Knox county, for and on account of penal fines, or which shall or may hereafter come into his hands, or that of his successors in office, for and on account of said fines, shall be paid over to the treasurer of the board of trustees of said University, to be laid out and expended under the direction of said board of trustees in repairing said building, and for the purposes of education.

Monies to whom paid.

CHAPTER LXXVII.

AN ACT authorizing a called session of the circuit court of Harrison county, for the trial of Robert Morgan.

Approved—January 14, 1824.

JOINT RESOLUTIONS.

Joint Resolutions of the General Assembly relative to the President's message.

Approved—January 31, 1824.

The General Assembly of the state of Indiana, on the eve of closing their Legislative labours, are impelled by the interesting posture of the government of the United States, in reference to the powers of Europe, to fix their attention, for a moment, on the late message of the President, addressed to Congress at the opening of their present session. It is with no ordinary satisfaction, that we recognize, in the public declarations of our venerable Chief Magistrate, the immortal principles of '76. It is impossible for a free people to view with indifference the rise and progress, or the overthrow and extinction of those principles, which they do and must ever regard as the main pillars of individual and national happiness. The action and re action of freedom & tyranny throughout the world, must ever produce a corresponding vibration in the hearts of freemen. In the language of the father of our country, "our anxious recollections, our sympathetic feelings, and our best wishes are irresistably excited, whensoever, in any country, we see an oppressed people unfurl the banners of freedom." Under these generous impulses, we have witnessed the resistance of our brethren of South America, to the merciless tyranny of Spain, and seen with joy, the Eagle of Liberty expand his wings over a sister Continent. With feelings congenial to these, but heightened by the enthusiasm of classic associations, we have more recently beheld the sons of Greece bursting the chains of Turkish despotism, and struggling for the rights and glory of their ancestors. We trust that our undisguised sa-

tisfaction, at these reiterated triumphs of the rights of man, will ever be regarded by Europe, and felt by ourselves, as an unerring criterion of our determination to defend the same rights, whenever assailed; and in conformity with these sentiments, we concur in the following resolutions:

Resolved by the General Assembly of the state of Indiana, That the sentiments expressed in the late message of the Chief Magistrate of the Union, both as it respects our foreign relations and domestic policy, meet our decided approbation.

Resolved, That the inhabitants of Greece, in resisting the complicated oppression of the government of Turkey, are entitled to our warmest sympathy and admiration, and that we anticipate with eagerness, the resurrection of that freedom in her sons, which raised their forefathers to the pinnacle of glory.

Resolved, That we hail with the liveliest satisfaction, the probable restoration of the states of Greece, to the family of nations and republics, and that the highest degree of countenance and encouragement, consistent with the duties of neutrality, that can be afforded them by our Government, in their present glorious struggle, will be cordially approved.

Resolved, That his Excellency, the Governor, be requested to transmit a copy of these resolutions, with the preamble, to the President of the United States, and to each of our Senators and Representatives in Congress.

A Joint Resolution of the General Assembly of the state of Indiana, relative to the National Road from Wheeling to the river Mississippi.

Approved—January 7, 1824.

WHEREAS, The construction of the National Road from Wheeling to the river Mississippi, and the completion of the same, would greatly tend to the union of the states, and would also be of great and lasting benefit to this state, and the several states through which the same is intend-

ed to run: and whereas, we believe that the completion of said road would enhance the value of the lands owned by the general government in the western states, and would add to the importance of those states, and form the best and brightest link in the chain which binds us together: Therefore,

Be it resolved by the General Assembly of the state of Indiana, That the completion of the National Road from Wheeling to the Mississippi river, is a work of great and general importance to the Union, and to the western states.

Resolved, That our Representatives in Congress be requested, and our Senators instructed to use their exertions to effect the completion of said road, by obtaining from Congress, a donation of land or appropriation of money for that purpose, and that his Excellency, the Governor, be requested to forward a copy of the foregoing preamble and resolutions to the Speaker of the House of Representatives, and to each of our Senators and Representatives in Congress.

A Joint Resolution of the General Assembly of the State of Indiana, relative to taxing lands within this State.

Approved—January 30, 1824.

Resolved by the General Assembly of the state of Indiana, That the reasons of the compact between the general government and this state, by which this state guaranteed an exemption from taxation of all lands, for five years from and after the purchase thereof, purchased of the General Government after the first day of December, one thousand eight hundred and sixteen, have, by the act of Congress changing the whole land system, totally ceased.

Resolved, That the right of taxation, on the part of this state, from and after the day of sale, cannot by any possibility be injurious to the interests of the United States.

Resolved, That our Representatives in Congress be requested and our Senators instructed, to use their utmost exertions to obtain a repeal or modification of the compact be-

tween the United States and this state, as referred to in the foregoing resolution.

Resolved, That his Excellency, the Governor be requested to transmit a copy of the foregoing resolutions to the Speaker of the House of Representatives in Congress, and a copy to each of our Senators and Representatives.

—
A Joint Resolution on the subject of extinguishing the Indian title to lands within the state of Indiana.

Approved—January 26, 1824.

WHEREAS, The further extinguishment of Indian title to lands within the state of Indiana, would greatly facilitate the intercourse of the whole western country with the eastern and middle states; increase in a great degree, the population of the northern section of this state; tend to improve the navigation of our rivers in the interior, and further the grand object of effecting a canal communication between the waters of the Ohio and the lakes: Therefore,

Resolved, That our Senators be instructed and our Representatives in Congress requested, to use their best exertions to procure an appropriation by Congress, for the purpose of effecting this desirable object, and in all respects to promote the object of this resolution.

Resolved, That his Excellency, the Governor, at as early a period as possible, forward to our Senators and Representatives in Congress, a copy of the foregoing preamble and resolution, accompanied with a request, that the same be laid before Congress for their consideration.

—
A Joint Resolution on the subject of the Indianapolis Agency.

Approved—January 31, 1824.

Resolved by the General Assembly of the state of Indiana, That the clerk of the House of Representatives, be, and he is hereby authorized and directed to deliver to the auditor of

public accounts, the lists of the sale of lots or lands or other public property at Indianapolis, the report of the commissioners and others concerned, together with the documents accompanying the same, which were heretofore returned to the secretary's office, and submitted by him to the House of Representatives.

Resolved further, That it shall hereafter be the duty of the commissioners or others superintending the sales of public property at Indianapolis, to make return of their proceedings to the auditor's office, within thirty days after every such sale, and that it shall be the duty of the auditor to record all lists of sales of lots, lands or other public property at Indianapolis, with the reports of the commissioners and others concerned, which may be delivered to him by the said clerk, or which may be at any time hereafter returned to his office, in the manner aforesaid, and file and preserve the original, with the accompanying documents, among the papers of the office.

Resolved further, That it shall be the duty of the auditor not only to keep a special account with the agent of Indianapolis, of the money actually received and paid out by him, but he shall also open a general account with the Indianapolis Agency, charging to such account, the whole amount of each list of sales returned as aforesaid, and crediting the same with the payments and credits, which have been or may be authorized by law, and have been or may be reported to his office by the treasurer of state or other legal authority.

—
A Joint Resolution respecting the furniture belonging to the state, at Corydon.

Approved—January 30, 1824.

Resolved by the General Assembly of the state of Indiana, That Samuel Merrill, treasurer, is hereby authorized to sell, at public vendue, to the highest bidder, all the chairs, tables and other furniture belonging to the state, which, in his opinion, cannot be advantageously removed to Indianapolis, giving at least twenty days notice in the Indiana Gazette, of

the time and place of sale, and the proceeds of such sale may be appropriated for paying the necessary expenses of the removal of the books, papers and other furniture of the several offices, and a just account of such sale shall be laid before the next General Assembly, the first week of their session.

—

A Joint Resolution to provide for enclosing the grave of John N. Dunbar, Esquire, late a member of the General Assembly.

Approved—January 22, 1824.

Resolved by the General Assembly of the state of Indiana,
That James B. Slaughter, Esquire, be requested to superintend the enclosing of the grave of the late John N. Dunbar, Esquire, deceased, who departed this life when a member of the General Assembly from the county of Harrison, during the session of one thousand eight hundred and twenty-one; and that the auditor of public accounts audit, and the treasurer of state pay the same, out of any monies in the treasury not otherwise appropriated.

—

A Joint Resolution of the General Assembly of the state of Indiana, on the subject of the debt due from this state to the United States.

Approved—January 30, 1824.

WHEREAS, The amount of debts due by this state to the United States, and to the road and canal fund, does not appear from the exhibits in the public offices of the state:

Therefore,

Resolved by the General Assembly of the state of Indiana,
That the auditor of public accounts be, and he is hereby directed to state the accounts on the books of his office, in such

manner, that they may shew in conformity with the report of the committee of ways and means, to the House of Representatives on the state of the finances, that the amount due from this state on the obligations originally given by the former Governor thereof to the Bank of Vincennes, and now in possession of the United States, was on the twenty-ninth of December one thousand eight hundred and twenty one, one thousand eight hundred and seventy-three dollars and seventeen cents, and that the amount due from this state to the fund for roads and canals, known by the name of the three per cent. fund, was, on the first day of January, one thousand eight hundred and twenty one, five thousand dollars, both debts drawing interest from the respective periods aforesaid.

—

A Joint Resolution, on the subject of the outstanding revenue due the state.

Approved—January 31, 1824.

Resolved by the General Assembly of the state of Indiana,
That the auditor of public accounts be instructed immediately on the rising of the present General Assembly, to collect all balances due the state, from collectors, attorneys or others, owing the same by suit or otherwise.

—

A Joint Resolution relative to the acts and joint resolutions of the General Assembly.

Approved—January 31, 1824.

Resolved by the General Assembly of the state of Indiana,
That it shall be the duty of the secretary to make out certified copies of all the acts and joint resolutions of the General Assembly, passed at the present and future sessions of the same, to be by the Governor delivered to the public

printer, and in no case, shall the original bills and joint resolutions be taken out of the secretary's office. The Governor shall make such compensation to the secretary of state, for his services in making such copies, as he may deem just and reasonable, to be paid out of the contingent fund.

A Joint Resolution on the subject of domestic manufactures.

Approved—January 22, 1824.

WHEREAS, We believe that the prosperity and happiness of our country would be advanced by the encouragement of domestic manufactures, which would give new vigor to the spirit of honest enterprize in every section of the Union, and annihilate the present state of dependency, on European countries, for the fabrics necessary for our comfort; and that this change, in the policy of the Government, might be effected without producing pecuniary embarrassments, or imposing extraordinary burthens on the people: Therefore,

Resolved by the General Assembly of the state of Indiana, That the members of Congress from this state be requested to unite in any effort that may be made to alter the tariff, so as to encourage the manufacturing of domestic fabrics.

Resolved, That his Excellency, the Governor, be requested to communicate, to the members of Congress from this state, this expression of the opinion and wishes of the General Assembly, by forwarding to them a copy of this preamble and resolutions, or in any other manner which he may deem expedient.

REPORTS

OF THE TREASURER OF STATE AND AUDITOR OF PUBLIC AC-
COUNTS, FOR THE YEAR 1823.

TREASURY DEPARTMENT Dec. 3, 1824.

SIR,

I have the honour herewith to transmit the Annual Report required from this Department, to be laid before the Senate,

I am Sir, very respectfully,

SAM'L MERRILL.

The President of the Senate.

To the Honourable Ratliff Boon,

President of the Senate,

SIR,

The Treasurer in obedience to the directions of the act, entitled "An act concerning the Auditor of Public Accounts and Treasurer of State," respectfully submits the following Report of the public Revenue and Expenditure, from November 30th, 1822, to November 29th, 1823.

Balance in the Treasury at the last annual report	983 60
Amount paid since that time for revenue assessed	
for the year 1820, - - - - -	238 00
For 1821, - - - - -	133 78
For 1822, - - - - -	23,230 53
For 1823, - - - - -	3,492 04
By the sheriff of Franklin county, for unlisted lands, &c. - - - - -	32 00
By the agent at Indianapolis, - - - - -	723 29
By the commissioners of the seminary township, in Gibson county, - - - - -	421 96
By the superintendent of Rock Lick section,	58 00
	<hr/>
	29,313 20

From the 30th November 1822, to the 29th November 1823, the following sums have been paid at the Treasury.

For the expense of public printing,	1,121 00
For stationary,	166 71
For territorial warrants,	55 41
Premiums for wolf scalps,	16 00
For contingent expenses,	481 43
To the committee on education,	70 00
To the Adjutant General,	100 00
To the Attorney General,	200 00
To the State Bank,	238 00
To the officers of the Judiciary,	6,631 87
To the officers of the Executive Department,	2,017 65
For claims on account of the seat of government,	2,860 90
For claims on account of State Prison,	4,693 53
For expenses of last General Assembly, including special appropriations,	7,872 72
To amount not paid over by late Treasurer,	983 60
To interest on Treasury notes paid in,	70 40
Amount in the Treasury,	1,733 98
	<hr/>
	\$ 29,313 20

The following extracts from the books of the Treasury department, exhibit the present financial situation of the state.

Receipts into the Treasury, except from loans & Treasury notes, 1st year state government,	4,251 08
2d " - -	14,718 68 $\frac{1}{4}$
3d " - -	7,399 51
4th " - -	15,862 23
5th " - -	12,195 14 $\frac{1}{2}$
6th " - -	31,085 29
7th " - -	28,329 60
	<hr/>
	\$ 113,841 53 $\frac{3}{4}$

Expenditures	1st year,	20,055 33 $\frac{1}{4}$
2d " - -	19,463 25	
3d " - -	11,792 90 $\frac{1}{2}$	
4th " - -	19,773 05	
5th " - -	19,715 32	
6th " - -	20,614 15	
7th " - -	26,595 62	
	<hr/>	
	\$ 138,009 62 $\frac{3}{4}$	
Balance against the state,	24,168 09	
Amount not paid over by the late Treasurer, included in the foregoing receipts,	983 60	
Warrants in circulation, which the funds in the Treasury will not redeem,	1,955 50	
Interest due on loan,	824 91	
The interest due on Treasury notes and the claims not yet presented to the Auditor, cannot be estimated with certainty, but may amount to	2,000 00	

No means of liquidating these sums immediately, are possessed by the state, but if the present rates of taxation are continued, the time cannot be far distant, when it will be relieved from embarrassment. Till this takes place, the evils under which we labour, will be sensibly alleviated by pursuing a liberal course towards the creditors of the state. Some of them at present are not entitled to interest on the amount due, and the nature of the interest allowed on Treasury notes is such, as to induce the holders of them to hasten their return to the Treasury as soon as possible. It is respectfully suggested to the Legislature, that when there are not funds for the payment of claims, it shall be at the option of the claimant, to subscribe stock to the amount of his claim, bearing an annual interest and redeemable at such periods as shall be thought proper. The amount of this stock by actual loans, by placing in it the seminary funds, the money in the hands of guardians, executors, &c. might be increased as far as the exigencies of the state should require.

I have the honour to be, &c.

SAM'L MERRILL, TREAS'R.

AUDITOR'S OFFICE,
CORYDON, 4th Dec'r. 1823.

To his Excellency, Ratliff Boon,
President of the Senate,

SIR,

In obedience to an act of the General Assembly entitled "An act concerning the Auditor of Public Accounts and Treasurer of State—I have the honour herewith to transmit you my annual Report, ending the 29th of Nov. 1823.

I have the honour to be,

Very respectfully,

Yours, &c.

WM. H. LILLY,
Aud. Pub. Acc'ts.

The Auditor of Public Accounts, in obedience to an act of the General Assembly, entitled "An act concerning the Auditor of Public Accounts and Treasurer of State," submits the following report, viz:

There has been received from sundry collectors from the 30th of November 1822 exclusive, to the 29th of November 1823 inclusive, on account of revenue arising for the year 1822, and for balances due for the years 1820 and 1821, the sum of

23,634 31 $\frac{1}{2}$

From sundry collectors of revenue for the year 1823, the sum of	3,492 04
From the agent of seminary lands in Gibson county, the sum of	421 96
From John Carr, former public agent at Indianapolis, the sum of	600 00
From James Milroy, late public agent at Indianapolis, the sum of	123 29
From the superintendant of Rock Lick section, the sum of	58 00

Making a sum total of \$ 28,329 60 $\frac{1}{2}$

There was a deficiency of monies to meet the claims audited to the 30th of November 1822, as per former report, the sum of

4,002 37 $\frac{1}{4}$

Since that period to the 29th of November 1823,

there has been audited in liquidation of the accounts of the last General Assembly, and incidental expenses attendant thereon, the sum of

7,767 49

In liquidation of the accounts of judiciary department, including the sum of fifty-seven dollars and ten cents appropriated to Henry P. Coburn, for books and stationary furnished by him for the use of the supreme court; also one hundred and eleven dollars and fifty cents to Joseph Paddacks, sheriff of Harrison county, for attending on and furnishing fuel for said court, making in all the sum of

6,479 67

In liquidation for public printing, the sum of
In liquidation for stationary for the use of the last General Assembly, the sum of

1,121 00

In liquidation of the appropriations made relative to the state prison, the following sums, viz: For defraying the expenses of convicts confined therein, the sum of five hundred dollars. Towards the completion of said prison pursuant to an act of the General Assembly, approved, 10th January 1823, the sum of two thousand five hundred dollars; in part payment of the interest due Reuben H. Murray and Robert Gray, contractors for building said prison, pursuant to an act approved 31st December 1822, the sum of two hundred and forty-two dollars and eighty-one and a fourth cents; for conveying convicts to said prison, the sum of four hundred and eighty-four dollars and twenty-three and three fourth cents, making in all, the sum of

3,727 07

In liquidation of the expenses of laying off a town on the site selected for the permanent seat of government, the sum of eighty-four dollars and thirty-one cents; also in liquidation of the accounts of John Carr former agent, for his fourth quarter's salary for the year 1821, the sum of one hundred and fifty dollars—for his first and second quarter's salary for 1822,

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the sum of one hundred and fifty dollars, and a fractional part of his third quarter's salary for 1822, the sum of forty dollars; and also to the board of commissioners for the county of Marion, in part of the eight thousand dollars donated to said county, pursuant to an act making specific appropriations, approved, 11th January 1823, the sum of two thousand five hundred dollars, making in all

2,924 31

In addition to the above sums audited, there has been paid to the aforesaid commissioners, by the late agent James Milroy, as per vouchers filed in this office, nine hundred and thirty-nine dollars and ninety-six and a half cents

In liquidation of the executive department, the sum of

In liquidation of militia expenses, the sum of

In liquidation of the attorney general's salary

In liquidation of a territorial claim for the benefit of the heirs of Charles Smith, deceased, pursuant to a specific appropriation of the last General Assembly, the sum of

In liquidation of the contingent expenses of government, the sum of

There has been paid at the Treasury department for interest on Treasury notes, the sum of

And also in liquidation of the debt due the Bank of Vincennes, the sum of

Sum total, \$ 29,301 51 $\frac{1}{2}$

Making a deficit to meet the claims audited to this date, the sum of

From the quarterly returns made to this office, there is due from B. F. Morris, public agent at Indianapolis

Amount of balances due from sundry sheriffs for the years 1819, 1820, 1821 and 1822

From duplicate returns to this office, the revenue for the year 1823, after deducting the com-

1,967 65
100 00
200 00

55 41
481 43
70 40
238 00

971 91
1,903 66
4,755 84

missions allowed for collection, amounts to the sum of

26,561 00

And from the counties of Wayne, Union, Fayette, Crawford, Perry, Dubois, Daviess, Vanderburgh, Sullivan, Owen, Marion, Madison and Henry, no duplicates have been received, but the amount derived from thence may be estimated, exclusive of the allowance for collection, at the sum of

9,000 00

Sum total, \$ 35,561 00

There was due on the Governor's bond given to the State Bank, now in the hands of the general government, on the 29th December 1821, as per return of General Noble

7,173 17

There is interest due on the same to this date, the sum of

824 91

Sum total, \$ 7,998 08

A great deduction from the nominal amount of the revenue, arises from the failure of non-residents to pay the taxes assessed on their lands. After the collector returns that they failed to sell, nothing more is heard from them. Taxes should be a lien on such lands, and when they fail to sell, they should be struck off to the state; or if higher penalties and a shorter time for redemption is given, purchasers will be found. It is also respectfully submitted to the Legislature, that collections would be much more speedy, if the penalty for delinquency was in proportion to the delay of payment.

Respectfully submitted,

WM. H. LILLY, AUD. PUB. ACC'TS.

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